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**HANSARD'S  
PARLIAMENTARY DEBATES,**

**THIRD SERIES:**

**COMMENCING WITH THE ACCESSION OF**

**WILLIAM IV.**

**37° VICTORIÆ, 1874.**

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**VOL. CCXVIII.**

**COMPRISING THE PERIOD FROM**

**THE FIFTH DAY OF MARCH 1874,**

**TO**

**THE EIGHTH DAY OF MAY 1874.**

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**First Volume of the Session.**

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**LONDON**

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*Ordered*, That so much of Standing Order No. 179. section 3. as requires that “no such Bill shall be read a second time earlier than the fourth day nor later than the seventh day after the First Reading thereof” be suspended during the present Session, and that every such Bill shall be read a second time on the fourth day after the First Reading thereof, whether the Standing Orders applicable thereto have or have not been complied with; and that so much of the Order of the 15th day of *March* 1859 as requires two clear days notice of the day on which any Bill shall be examined shall also be suspended during the present Session in respect to Bills originating in this House:

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Motion agreed to.

### SUPPLY—considered in Committee.

(In the Committee.)

- (1.) That a sum, not exceeding £260,336 18s. 8d., be granted to Her Majesty, to make good Excesses of Expenditure beyond the Grants for the following Revenue Departments, for the year ended on the 31st day of March 1873, viz.:—

	£	s.	d.
Customs	10,383	11	6
Post Office	40,527	9	10
Post Office Packet Service	4,469	19	8
Post Office Telegraph Service	204,955	17	8
	£260,336	18	8

After short debate, Vote agreed to

- (2.) Motion made, and Question proposed, "That a sum, not exceeding £800,000, be granted to Her Majesty, beyond the ordinary Grants, towards defraying the Expense which will come in course of payment during the year ending on the 31st day of March 1874, of the Expedition into Ashantee"

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[Then the said Services set forth.]

- (4.) £44,150, Law Charges (Supplementary, 1873-4).
- (5.) £1,880, London Bankruptcy Court (Supplementary, 1873-4).
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**THE INCOME TAX—RESOLUTION—Amendment proposed,**  
 To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, incomes not exceeding £500 a-year should be exempted from the payment of Income Tax,"—(*Mr. Sandford*),—instead thereof  
 Question proposed, "That the words proposed to be left out stand part of the Question:—"—After debate, Amendment, by leave, *withdrawn*.

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### PRIVATE BILLS—

Ordered, That section 4. of Standing Order, No. 179, be suspended in respect of Bills originating in this House and included in either of the two classes of Private Bills in Standing Order, No. 178; and that all such Bills be read a second time on Friday the 27th instant; and that all Petitions praying to be heard upon the merits against any such Bill be presented by being deposited in the Private Bill Office before Three o'clock in the afternoon on or before Saturday the 4th day of April next.

### SOUTH SEA ISLANDS—ADDRESS FOR CORRESPONDENCE—

*Moved* that an humble Address be presented to Her Majesty for, Copies or Extracts of any further correspondence respecting outrages committed upon natives of the South Sea Islands, in continuation of the papers upon this subject laid before the House last Session,—(*The Earl of Belmore*)

After short debate, Motion *agreed to.*

### RAILWAY ACCIDENTS—MOTION FOR PAPERS—

*Moved*, That there be laid before the House Copy of Board of Trade Circular to Railway Companies, dated February 1874, and the correspondence which followed thereon: Also for, Copy of correspondence between the Board of Trade and Lancashire and Yorkshire Railway Company with reference to legal proceedings in consequence of default of return of accidents,—(*The Earl De La Warr*)

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<b>Consolidated Fund (£7,000,000) Bill</b> —Brought from the Commons; read 1 <sup>a</sup> ; to be read 2 <sup>a</sup> <i>To-morrow</i> ; and Standing Orders Nos. 37. and 38. to be considered in order to their being dispensed with: ( <i>The Lord President.</i> )
<b>East India Loan Bill</b> —Brought from the Commons; read 1 <sup>a</sup> ; to be <i>printed</i> ; and to be read 2 <sup>a</sup> <i>To-morrow</i> ; and Standing Orders Nos. 37. and 38. to be considered in order to their being dispensed with: ( <i>The Marquess of Salisbury.</i> ) (No. 19.)

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"Similar Return of Female Teachers :

"Similar Returns for Scotland :

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### CHAIRMAN OF COMMITTEES—

*Moved* that the Viscount Eversley be appointed to take the chair in the Committees of the Whole House in the absence of the Lord Redesdale from illness, unless where it shall have been otherwise directed by the House; *agreed to*: Then it was ordered that the Viscount Eversley do also take the chair in all Committees upon Private Bills and other matters in the absence of the Lord Redesdale from illness, unless where it shall have been otherwise directed by this House.

### NEW PEER—

The Right Honourable Sir John Duke Coleridge, Knight, Chief Justice of Her Majesty's Court of Common Pleas, created Baron Coleridge of Ottery Saint Mary in the county of Devon.

### Land Titles and Transfer Bill (No. 40)—

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### Real Property Limitation Bill (No. 16)—

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### Real Property Vendors and Purchasers Bill (No. 41)—

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(In the Committee.)

Motion made, and Question proposed, "That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-four, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties (that is to say):

For every Twenty Shillings of the annual value or amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B) of the said Act), the Rate or Duty of Two Pence;

And for and in respect of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act,

For every Twenty Shillings of the annual value thereof;

In England, the Rate or Duty of One Penny;

In Scotland and Ireland respectively, the Rate or Duty of Three Farthings;

Subject to the provisions contained in section twelve of the Act of thirty-fifth and thirty-sixth Victoria, chapter twenty, for the exemption of Persons whose whole Income from every source is under One Hundred Pounds a-year, and relief of those whose Income is under Three Hundred Pounds a-year" .. 1041

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Original Question put, and *agreed to*.

Motion made, and Question proposed, "That, on the first day of January one thousand eight hundred and seventy-five, the following Duties of Excise shall cease to be payable (that is to say):—

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*Moved*, "That it is expedient to amend the Laws relating to the Inland Revenue,"—(*The Chancellor of the Exchequer*):—Resolution *agreed to*.

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After short debate, Amendment, by leave, *withdrawn*.

**THE DISSOLUTION AND GENERAL ELECTION—VOTE OF CENSURE—**

Amendment proposed,

To leave out from the word “That” to the end of the Question, in order to add the  
words “in the opinion of this House, the advice given to the Crown by Her Ma-  
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MONASTIC AND CONVENTUAL INSTITUTIONS—Questions, Mr. Newdegate; Answers, Mr. Bourke, Sir Colman O'Loughlen .. ..	1842
PARLIAMENT—ISSUE OF NEW WRITS—Observations, Question, Mr. Roebuck; Reply, Mr. Speaker :—Short debate thereon .. ..	1843
SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair: "—	
NAVY—UNARMoured AND IRON-CLAD SHIPS—RESOLUTION—	
Amendment proposed,	
To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is undesirable to incur expense to build Unarmoured Ships of a speed of less than ten knots, and that it is expedient that the money appropriated to their construction be applied to the necessary repairs of the Ironclad Ships of the Navy,"—(Sir John Hay,)—instead thereof .. ..	1846
Question proposed, "That the words proposed to be left out stand part of the Question: "—After debate, Amendment, by leave, <i>withdrawn</i> .	
RAILWAY ACCIDENTS—THE ROYAL COMMISSION—RESOLUTION—	
Amendment proposed,	
To leave out from the word "That" to the end of the Question, in order to add the words, "any inquiry into the causes of Accidents on Railways should include an investigation into the existence or otherwise of sufficient Railway accommodation in various districts for conveying the growing traffic of the Country with safety and economy, and into the means most advantageous to the public of supplying any deficiencies which may appear to exist,"—(Mr. Samuelson,)—instead thereof .. ..	1877
Question proposed, "That the words proposed to be left out stand part of the Question: "—After short debate, Amendment, by leave, <i>withdrawn</i> .	
CONTROVERTED ELECTIONS—THE GALWAY ELECTION PETITION—MR. JUSTICE LAWSON—RESOLUTION—Amendment proposed,	
To leave out from the word "That" to the end of the Question, in order to add the words "this House is of opinion that a Judge of one of Her Majesty's Superior Courts of Common Law, who may accept and hold an office at the pleasure of the Crown, should not, while holding such office, act as an Election Judge under 'The Parliamentary Elections Act, 1868,' "—(Sir Colman O'Loughlen,)—instead thereof .. ..	1884
Question proposed, "That the words proposed to be left out stand part of the Question: "—After debate, Question put, and <i>agreed to</i> .	
Main Question, "That Mr. Speaker do now leave the Chair," put, and <i>agreed to</i> .	
SUPPLY — <i>considered</i> in Committee — ASHANTREE EXPEDITION — NAVY ESTIMATES—	
(In the Committee.)	
(1.) £100,000, Expedition into Ashantee.—After short debate, Vote <i>agreed to</i> .. ..	1902
(2.) Motion made, and Question proposed, "That a sum, not exceeding £175,600, be granted to Her Majesty, to defray the Expense for the Freight of Ships, for the Victualling and for the Conveyance of Troops, on account of the Army Department, which will come in course of payment during the year ending on the 31st day of March 1875" .. ..	1902
After short debate, Question put, and <i>agreed to</i> .	
Resolutions to be reported.	
Motion made, and Question proposed, "That a sum, not exceeding £1,235,326, be granted to Her Majesty, to defray the Expense of the Dockyards and Naval Yards at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1875" .. ..	1902
Moved to report Progress,—(Mr. Gourley :)—Motion <i>agreed to</i>	
Resolutions to be reported <i>To-morrow</i> ; Committee also report Progress; to sit again <i>To-morrow</i> .	
POOR LAW GUARDIANS (IRELAND) BILL—Ordered (Sir Colman O'Loughlen, The O'Connor Don, Mr. Cailan); presented, and read the first time [Bill 95] .. ..	1903



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## DUDLEY WRIT—

*Ordered*, That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of a Member to serve in this present Parliament for the Borough of Dudley, in the room of Henry Brinsley Sheridan, esquire, whose election has been determined to be void,—(*Lord Kensington*) .. .. 1903

**Metropolitan Buildings and Management Bill** [Bill 3]—Select Committee *nominated*:—List of the Committee .. .. 1903

## LORDS, FRIDAY, MAY 8.

### RAILWAY COMPANIES—RESOLUTION—

*Moved* to resolve, That whereas applications are now frequently made to Parliament by Railway Companies for power to construct short lines for the development or improvement of lands, mines, or manufactories, the immediate object and direct effect of such lines being to enhance the value of particular private properties, and as it has not been the practice of Parliament to give compulsory powers to one person to take the lands of another for his private advantage, it is unjust and inexpedient that powers which would be refused to individuals on their own application should be obtained by them indirectly through the intervention of Railway Companies,—(*The Chairman of Committees*) .. .. 1903

After short debate, Motion (by leave of the House) *withdrawn*.

**AFGHANISTAN—Question, Observations, Lord Napier and Ettrick; Reply,**  
The Earl of Derby :—Short debate thereon .. .. 1906

### ENDOWED SCHOOLS—GELLIGAER SCHOOLS—ADDRESS TO THE QUEEN—

*Moved*, that an humble Address be presented to Her Majesty, praying Her Majesty to refuse her assent to the scheme of the Endowed Schools Commissioners for the management of the Foundation of Edward Lewis for a school at Gelligaer in the county of Glamorgan, and for other charitable objects,—(*The Duke of Beaufort*) .. 1917

After short debate, Motion (by leave of the House) *withdrawn*.

Then it was *moved*—

“That an humble Address be presented to Her Majesty, praying Her Majesty to refuse her assent to the proviso in the 56th clause of the scheme of the Endowed Schools Commissioners for the management of the Foundation of Edward Lewis for a School at Gelligaer in the county of Glamorgan, and for other charitable objects,—(*The Duke of Beaufort*.)

Motion *agreed to*.

**PUBLIC WORSHIP REGULATION BILL — INVOCATION OF SAINTS — ALTAR CARDS—Question, Earl Nelson; Answer, The Archbishop of Canterbury** .. .. 1921

**THE SUEZ CANAL—Question, Earl De La Warr; Answer, The Earl of Derby** .. .. 1925

**Tramways Provisional Orders Confirmation Bill** [H.L.]—*Presented* (*The Lord Dunmore*); read 1<sup>st</sup> (No. 50) .. .. 1925

## COMMONS, FRIDAY, MAY 8.

**INDIA—MADRAS IRRIGATION COMPANY—Question, Mr. Smollett; Answer, Lord George Hamilton** .. .. 1926

**ORDNANCE SURVEY—HERTFORDSHIRE—Question, Mr. A. Smith; Answer, Lord Henry Lennox** .. .. 1926

**PUBLIC HEALTH ACT—WATER SUPPLY—Question, Mr. Whalley; Answer, Mr. Sclater-Booth** .. .. 1927

**INTOXICATING LIQUORS BILL — THE LICENSING SYSTEM—Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach** .. .. 1927

**SCIENCE AND ART—THE NATIONAL GALLERY—Question, Major Beaumont; Answer, Lord Henry Lennox** .. .. 1928

Orders of the Day postponed until after the Notice of Motion relative to the Stroud Writ,—(*Mr. Disraeli*) .. .. 1928

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<b>PARLIAMENT—BOROUGH OF STROUD—ISSUE OF NEW WRIT—</b>	
Moved, "That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of Members to serve in this present Parliament for the Borough of Stroud, in the room of Sebastian Stewart Dickinson, esquire, and Walter John Stanton, esquire, whose Election has been determined to be void,"— ( <i>Lord Kensington</i> ) .. .. .	1928
Amendment proposed, To leave out from the word "That" to the end of the Question, in order to add the words "no new Writ for the electing of Members to serve in this present Parliament for the Borough of Stroud be issued until after the shorthand writer's notes of the Evidence and Judgment have been laid before this House,"—( <i>Mr. Charles Lewis</i> ),—instead thereof.	
Question proposed, "That the words proposed to be left out stand part of the Question :"—After debate, Amendment, by leave, <i>withdrawn</i> .	
Main Question put, and <i>agreed to</i> .	
<b>SUPPLY—Order for Committee read ; Motion made, and Question proposed,</b> "That Mr. Speaker do now leave the Chair :"—	
<b>DWELLINGS OF WORKING PEOPLE IN LONDON—RESOLUTION—</b>	
Amendment proposed, To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, a necessity exists for some measure that will provide for the improvement of the poorest classes of dwellings in London, and that this question demands the early attention of Her Majesty's Government,"—( <i>Mr. Kay-Shuttleworth</i> ),—instead thereof .. .. .	1943
Question proposed, "That the words proposed to be left out stand part of the Question :"—After debate, Amendment, by leave, <i>withdrawn</i> .	
<b>INDIA—METEOROLOGICAL DEPARTMENT IN INDIA—</b>	
Motion for Papers,—( <i>Mr. Egerton Hubbard</i> ) .. .. .	1987
After short debate, Motion <i>agreed to</i> .	
<b>SALE OF INTOXICATING LIQUORS IN IRELAND ON SUNDAY—RESOLUTION—</b>	
Amendment proposed, To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the Law which prohibits the sale of Intoxicating Liquors on Sunday in Scotland ought to be extended to Ireland,"—( <i>Mr. Richard Smyth</i> ),—instead thereof .. .. .	1991
Question proposed, "That the words proposed to be left out stand part of the Question :"—After debate, Question put :—The House <i>divided</i> ; Ayes 201, Noes 110 ; Majority 91.	
Main Question proposed :—Original Motion, by leave, <i>withdrawn</i> :—Committee <i>deferred</i> till <i>Monday</i> next.	
<b>CRYSTAL PALACE (SPIRITUOUS LIQUORS LICENCE)—MOTION FOR PAPERS—</b>	
Moved, "That there be laid before this House, a Copy of the Justices' Certificate upon which the Inland Revenue Department has issued a Licence to the Directors of the Crystal Palace for the sale of spirituous liquors, contrary to the express provision of the 13th section of the Crystal Palace Company's Act,"—( <i>Sir Wilfrid Lawson</i> )	2022
Amendment proposed, to leave out from the word "liquors" to the end of the Question,—( <i>Mr. Secretary Cross</i> .)	
After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and <i>negatived</i> .	
Main Question, as amended, put, and <i>agreed to</i> .	
Ordered, That there be laid before this House, a Copy of the Justices' Certificate upon which the Inland Revenue Department has issued a Licence to the Directors of the Crystal Palace for the sale of spirituous liquors.	
<b>TICHBORNE PROSECUTION—MOTION FOR A RETURN—</b>	
Moved, "That there be laid before this House, a Return of the sum expended in relation to the Tichborne Prosecution and all proceedings arising out of and connected therewith or resulting therefrom, and in such Return to specify the amount paid to each witness examined, and also to such persons as were subpoenaed to attend as witnesses, but were not called upon to give evidence,"—( <i>Mr. Whalley</i> ) .. .. .	2024
After short debate, Motion, by leave, <i>withdrawn</i> .	

## TWENTIETH PARLIAMENT OF THE UNITED KINGDOM.

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### WRITS ISSUED IN PURSUANCE OF THE SPEAKER'S WARRANT DURING THE RECESS, AND THE NAMES OF THE PERSONS RETURNED IN COMPLIANCE THEREWITH.

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#### NEW WRITS ISSUED.

1873.

- Aug. 18*—For *Yorkshire* (West Riding, Northern Division), *v.* Lord Frederick Charles Cavendish, Lord of the Treasury.
- Aug. 21*—For *Shaftesbury*, *v.* George Grenfell Glyn, now Lord Wolverton.
- Sept. 1*—For *Renfrew*, *v.* Right Hon. Henry Austin Bruce, created Baron Aberdare.
- Sept. 15*—For *Dover*, *v.* Right Hon. Sir George Jessel, knight, Master of the Rolls.
- Oct. 2*—For *Bath*, *v.* Donald Dalrymple, esquire, deceased.
- Oct. 6*—For *Taunton*, *v.* Henry James, esquire, Attorney General.
- Oct. 13*—For *Birmingham*, *v.* Right Hon. John Bright, Chancellor of the Duchy of Lancaster.
- Oct. 13*—For *Kingston-on-Hull*, *v.* James Clay, esquire, deceased.
- Nov. 13*—For *Haverfordwest*, *v.* Lord Kensington, Comptroller of the Household.
- Nov. 27*—For *Edinburgh University*, *v.* Lyon Playfair, esquire, Postmaster General.
- Dec. 1*—For *Oxford City*, *v.* William George Granville Venables Vernon Harcourt, esquire, Solicitor General.
- Dec. 1*—For *Exeter*, *v.* Sir John Duke Coleridge, knight, Chief Justice of the Common Pleas.
- Dec. 11*—For *Huntingdon*, *v.* Thomas Baring, esquire, deceased.
- Dec. 22*—For *Cambridge*, *v.* Charles Philip Yorke, Viscount Royston.
- Dec. 29*—For *Stroud*, *v.* Henry Selfe Page Winterbotham, esquire, deceased.
- Jan. 1, 1874*—For *Somersetshire* (Western Division), *v.* Henry Powell Gore Langton, esquire, deceased.
- Jan. 5*—For *Newcastle*, *v.* Sir Joseph Cowen, deceased.

#### NEW MEMBERS RETURNED.

- Aug. 27*—*Yorkshire* (West Riding, N. D.)—Lord Frederick Charles Cavendish.
- Aug. 30*—*Shaftesbury*—Vere Fane Benett-Stanford, esquire.
- Sept. 13*—*Renfrew*—Archibald Campbell Campbell, esquire.
- Sept. 23*—*Dover*—Edward William Barnett, esquire.
- Oct. 9*—*Bath*—Arthur Divett Hayter, esquire.
- Oct. 14*—*Taunton*—Henry James, esquire.
- Oct. 20*—*Birmingham*—Right Hon. John Bright.
- Oct. 24*—*Kingston-on-Hull*—Joseph Walter Pease, esquire.
- Nov. 28*—*Haverfordwest*—William Lord Kensington.
- Dec. 4*—*Edinburgh University*—Lyon Playfair, esquire.
- Dec. 6*—*Oxford City*—William George Granville Venables Vernon Harcourt, esq.
- Dec. 11*—*Exeter*—Arthur Mills, esquire.
- Dec. 20*—*Huntingdon*—Sir John Burgess Karslake, knight.
- Jan. 3, 1874*—*Cambridge*—Hon. Eliot Constantine Yorke.
- Jan. 8*—*Stroud*—John Edward Dorington, esquire.
- Jan. 12*—*Somersetshire* (Western Division)—Vaughan Hanning Lee, esquire.
- Jan. 17*—*Newcastle*—Joseph Cowen, esquire.

# TWENTY-FIRST PARLIAMENT OF THE UNITED KINGDOM.

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## LORDS.

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### NEW PEERS.

FRIDAY, MARCH 6.

The Right Hon. Sir Thomas Fremantle, baronet, created Baron Cottesloe.

TUESDAY, MARCH 10.

The Right Hon. Sir John Somerset Pakington, baronet, G.C.B., created Baron Hampton of Hampton Lovett and of Westwood in the County of Worcester.

The Right Hon. Edward Cardwell, created Viscount Cardwell of Ellerbeck in the County Palatine of Lancaster.

The Right Hon. Henry Austin Bruce, created Baron Aberdare of Duffryn, County Glamorgan.

The Right Hon. Chichester Samuel Parkinson Fortescue, created Baron Carlingford of Carlingford, County Louth.

George Henry Charles Byng, esquire, commonly called Viscount Enfield, summoned by Writ to the House of Lords in his Father's Barony of Strafford of Harmondsworth, County Middlesex.

THURSDAY, MARCH 19.

The Earl of Breadalbane, created Baron Breadalbane of Kenmore, County Perth.

The Right Hon. William Monsell, created Baron Emly of Jervoe, County Limerick.

The Right Hon. John Wilson Patten, created Baron Winmarleigh of Winmarleigh, County Palatine of Lancaster.

FRIDAY, MARCH 20.

John Robert Viscount Sydney, G.C.B., created Earl Sydney of Scadbury, County Kent.

THURSDAY, MARCH 26.

The Marquess of Westminster, K.G., created Duke of Westminster.

MONDAY, APRIL 20.

The Right Hon. Sir James Moncreiff, baronet, created Baron Moncreiff of Tulliebole, County Kinross.

THURSDAY, APRIL 23.

The Right Hon. Sir John Duke Coleridge, knight, Chief Justice of Her Majesty's Court of Common Pleas, created Baron Coleridge of Ottery St. Mary, County Devon.

THURSDAY, APRIL 30.

Henry Thomas Baron Ravensworth, created Earl of Ravensworth, of Ravensworth Castle, in the County Palatine of Durham.

THURSDAY, MAY 7.

The Hon. Edward Granville George Howard, esquire, Admiral on the Reserved Half-Pay List of Her Majesty's Fleet, created Baron Lanerton of Lanerton, County Cumberland.

### SAT FIRST.

THURSDAY, MARCH 5, 1874.

The Earl of Pembroke and Montgomery, after the Death of his Uncle.

The Lord Annaly, after the Death of his Father.

The Earl Cadogan, after the Death of his Father.

TWENTY-FIRST PARLIAMENT OF THE UNITED KINGDOM—LORDS.

MONDAY, MARCH 9.

The Lord Wolverton, after the Death of his Father.

The Earl of Onslow, after the Death of his Great Uncle.

TUESDAY, MARCH 10.

The Lord De Ros, after the Death of his Father.

THURSDAY, MARCH 19.

The Lord De Clifford, after the Death of his Great Uncle.

The Earl of Hardwicke, after the Death of his Father.

THURSDAY, MARCH 26.

The Lord Lyveden, after the Death of his Father.

TUESDAY, APRIL 28.

The Lord Rayleigh, after the Death of his Father.

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COMMONS.

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NEW WRITS ISSUED.

MONDAY, MARCH 9, 1874.

For *Devon* (Northern Division), *v.* Right Hon. Sir Stafford Henry Northcote, baronet, Chancellor of the Exchequer.

For *Northampton* (Northern Division), *v.* Right Hon. George Ward Hunt, First Commissioner of the Admiralty.

For *Oxford University*, *v.* Right Hon. Gathorne Hardy, Secretary of State.

For *Gloucester* (Eastern Division), *v.* Right Hon. Sir Michael Edward Hicks Beach, baronet, Chief Secretary to the Lord Lieutenant of Ireland.

For *Stafford* (Northern Division), *v.* Right Hon. Sir Charles Bowyer Adderley, President of the Board of Trade.

For *Chichester*, *v.* Lord Henry Lennox, First Commissioner of Works and Buildings.

For *Southampton* (Northern Division), *v.* Right Hon. George Selater-Booth, President of the Local Government Board.

For *Liverpool*, *v.* Viscount Sandon, Vice President of the Committee of Council for Education.

For *Dublin County*, *v.* Right Hon. Thomas Edward Taylor, Chancellor of the Duchy of Lancaster.

For *Shoreham*, *v.* Right Hon. Stephen Cave, Judge Advocate General.

For *Huntingdon*, *v.* Sir John Burgess Karslake, knight, Attorney General.

For *Surrey* (Middle Division), *v.* Sir Richard Baggallay, knight, Solicitor General.

For *Trinity College* (Dublin), *v.* Right Hon. John Thomas Ball, Attorney General for Ireland.

For *Glasgow and Aberdeen Universities*, *v.* Edward Strathearn Gordon, esquire, Lord Advocate of Scotland.

For *Devon* (Southern Division), *v.* Sir Massey Lopes, baronet, Commissioner of the Admiralty.

For *Portsmouth*, *v.* Sir James Dalrymple Horn Elphinstone, baronet, Commissioner of the Treasury.

For *Lincoln* (Northern Division), *v.* Rowland Winn, esquire, Commissioner of the Treasury.

TWENTY-FIRST PARLIAMENT OF THE UNITED KINGDOM—COMMONS.

For *Eye*, v. Viscount Barrington, Vice Chamberlain of the Household.  
For *Northumberland* (Northern Division), v. Earl Percy, Treasurer of the Household.  
For *Inverness-shire*, v. Donald Cameron, esquire, of Lochiel, Groom in Waiting.  
For *Monmouth County*, v. Lord Henry Somerset, Comptroller of the Household.  
For *Oxford City*, v. Right Hon. Edward Cardwell, now Viscount Cardwell.

THURSDAY, MARCH 12.

For *Buckinghamshire*, v. Right Hon. Benjamin Disraeli, First Commissioner of the Treasury.  
For *Lancaster* (South Western Division), v. Right Hon. Richard Assheton Cross, Secretary of State.  
For *Leicester* (Northern Division), v. Right Hon. Lord John Manners, Postmaster General.  
For *Suffolk* (Eastern Division), v. Viscount Mahon, Commissioner of the Treasury.  
For *Galway*, v. Viscount St. Lawrence, now Earl of Howth.

THURSDAY, MARCH 19.

For *Lancaster* (Northern Division), v. Right Hon. John Wilson Patten, called to the House of Peers.  
For *Falkirk Burghs*, v. John Ramsay, esquire, void Election.

MONDAY, MARCH 23.

For *Louth County*, v. Philip Callan, esquire, elected to sit for Dundalk.

THURSDAY, APRIL 16.

For *Hackney*, v. John Holms, esquire, and Sir Charles Reed, knight, void Election.

FRIDAY, APRIL 17.

For *Preston*, v. John Holker, esquire, Solicitor General.

MONDAY, APRIL 27.

For *Wakefield*, v. Edward Green, esquire, void Election.

THURSDAY, MAY 7.

For *Mayo County*, v. Thomas Tighe, esquire, and George Ekins Browne, esquire, void Election.

For *Dudley*, v. Henry Brinsley Sheridan, esquire, void Election.

FRIDAY, MAY 8.

For *Stroud*, v. Sebastian Stewart Dickinson, esquire, and Walter John Stanton, esquire, void Election.

NEW MEMBERS SWORN.

THURSDAY, MARCH 19.

*Oxford University*—Right Hon. Gathorne Hardy.  
*Devon* (Northern Division)—Right Hon. Sir Stafford Henry Northcote, baronet.  
*Lancaster* (South Western Division)—Right Hon. Richard Assheton Cross.  
*Northampton* (Northern Division)—Right Hon. George Ward Hunt.  
*Liverpool*—Right Hon. Viscount Sandon.  
*New Shoreham*—Right Hon. Stephen Cave.  
*Southampton* (Northern Division)—Right Hon. George Sclater-Booth.  
*Gloucester* (Eastern Div.)—Right Hon. Sir Michael Edward Hicks Beach, bart.  
*Inverness-shire*—Donald Cameron, esquire, of Lochiel.  
*Portsmouth*—Sir James Dalrymple Horn Elphinstone, baronet.  
*Huntingdon*—Sir John Burgess Karslake, knight.  
*Surrey* (Middle Division)—Sir Richard Baggallay, knight.  
*Lincoln* (Northern Division)—Rowland Winn, esquire.  
*Dublin University*—Right Hon. John Thomas Ball.  
*Devon* (Southern Division)—Sir Massey Lopes, baronet.  
*Northumberland* (Northern Division)—Earl Percy.  
*Eye*—Viscount Barrington.

TWENTY-FIRST PARLIAMENT OF THE UNITED KINGDOM—COMMONS.

*Monmouthshire*—Lord Henry Somerset.

*Glasgow University*—Right Hon. Edward Strathearn Gordon.

*Oxford City*—Alexander William Hall, esquire.

*Buckinghamshire*—Right Hon. Benjamin Disraeli.

SATURDAY, MARCH 21.

*Leicester County* (Northern Division)—Right Hon. Lord John Manners.

MONDAY, MARCH 23.

*Suffolk* (Eastern Division)—Viscount Mahon.

*Stafford* (Northern Division)—Right Hon. Sir Charles Bowyer Adderley, baronet.

*Dublin County*—Right Hon. Thomas Edward Taylor.

*Chichester*—Lord Henry Lennox.

THURSDAY, MARCH 26.

*Lancaster* (Northern Division)—Thomas Henry Clifton, esquire.

*Galway*—Francis Hugh O'Donnell, esquire.

FRIDAY, MARCH 27.

*Falkirk Burghs*—John Ramsay, esquire.

MONDAY, APRIL 27.

*Preston*—John Holker, esquire.

*Hackney*—John Holms, esquire, and Henry Fawcett, esquire.

FRIDAY, MAY 1.

*Louth*—George Harley Kirk, esquire.

THURSDAY, MAY 7.

*Wakefield*—Thomas Kemp Sanderson, esquire.



BY THE QUEEN.  
A PROCLAMATION,

*For dissolving the present Parliament, and declaring the Calling of another.*

VICTORIA R.

**W**HEREAS We have thought fit, by and with the advice of Our Privy Council to dissolve this present Parliament, which stands prorogued to *Thursday* the fifth day of *February* next: We do, for that end, publish this Our Royal Proclamation, and do hereby dissolve the said Parliament accordingly: And the Lords Spiritual and Temporal, and the Knights, Citizens, and Burgesses, and the Commissioners for Shires and Burghs, of the House of Commons, are discharged from their meeting and attendance on the said *Thursday* the fifth day of *February* next: And We, being desirous and resolved, as soon as may be, to meet Our people, and to have their advice in Parliament, do hereby make known to all Our loving subjects Our Royal Will and Pleasure to call a new Parliament: And do hereby further declare, that, with the advice of Our Privy Council, We have given Order that Our Chancellor of that part of Our United Kingdom called *Great Britain* and Our Chancellor of *Ireland* do respectively, upon notice thereof, forthwith issue out Writs, in due form and according to law, for calling a new Parliament. And We do hereby also, by this Our Royal Proclamation under Our Great Seal of Our United Kingdom, require Writs forthwith to be issued accordingly by Our said Chancellors respectively, for causing the Lords Spiritual and Temporal, and Commons, who are to serve in the said Parliament, to be duly returned to, and give their attendance in, Our said Parliament; which Writs are to be returnable on *Thursday* the fifth day of *March* next.

Given at Our Court at *Osborne House, Isle of Wight*, this twenty-sixth day of *January*, in the year of Our Lord one thousand eight hundred and seventy-four, and in the thirty-seventh year of Our Reign.

GOD SAVE THE QUEEN.

BY THE QUEEN.  
A PROCLAMATION,

*In Order to the Electing and Summoning the Sixteen Peers of Scotland.*

VICTORIA R.

**W**HEREAS We have in Our Council thought fit to declare Our Pleasure for summoning and holding a Parliament of Our United Kingdom of *Great Britain and Ireland*, on *Thursday* the Fifth Day of *March* next ensuing the date hereof: In order, therefore, to the electing and summoning the Sixteen Peers of *Scotland*, who are to sit in the House of Peers in the said Parliament, We do, by the Advice of our Privy Council, issue forth this Our Royal Proclamation, strictly charging and commanding all the Peers of *Scotland* to assemble and meet at *Holyrood House*, in *Edinburgh*, on *Wednesday*, the Eighteenth Day of *February* next, between the Hours of Twelve and Two in the Afternoon, to nominate and choose the Sixteen Peers, to sit and vote in the House of Peers in the said ensuing Parliament, by open Election, and Plurality of Voices of the Peers that shall be then present, and of the Proxies of such as shall be absent (such Proxies being Peers, and producing a Mandate in Writing, duly signed before Witnesses, and both the Constituent and Proxy being qualified according to Law); and the Lord Clerk Register, or such Two of the Principal Clerks of the Session as shall be appointed by him to officiate in his Name, are hereby respectively required to attend such Meeting, and to administer the Oaths required by Law to be taken there by the said Peers, and to take their Votes; and immediately after such Election made and duly examined, to certify the Names of the Sixteen Peers so elected, and to sign and attest the same in the Presence of the said Peers the Electors, and return such Certificate into Our High Court of Chancery of *Great Britain*: And We do, by this Our Royal Proclamation, strictly command and require the Provost of *Edinburgh*, and all other the Magistrates of the said City, to take especial Care to preserve the Peace thereof, during the time of the said Election, and to prevent all manner of Riots, Tumults, Disorders, and Violence whatsoever: And We strictly charge and command that this Our Royal Proclamation be duly published at the Market Cross at *Edinburgh*, and in all the County Towns of *Scotland*, Ten Days at least before the Time hereby appointed for the meeting of the said Peers to proceed to such Election.

Witness Ourselves at *Osborne House, Isle of Wight*, this Twenty-sixth day of *January*, One thousand eight hundred and seventy-four, and in the Thirty-seventh Year of Our Reign.

GOD SAVE THE QUEEN.

# THE MINISTRY

OF THE RIGHT HONOURABLE WILLIAM EWART GLADSTONE, AS IT STOOD  
AT THE DISSOLUTION OF THE PARLIAMENT, THE 26TH DAY OF JANUARY, 1874.

## THE CABINET.

First Lord of the Treasury and Chancellor of the Exchequer . . . . .	}	Right Hon. WILLIAM EWART GLADSTONE.
Lord Chancellor . . . . .		Right Hon. Lord SELBORNE.
President of the Council . . . . .		Right Hon. Lord ABERDARE.
Lord Privy Seal . . . . .		Right Hon. Viscount HALIFAX, G.C.B.
Secretary of State, Home Department . . . . .		Right Hon. ROBERT LOWE.
Secretary of State, Foreign Department . . . . .		Right Hon. Earl GRANVILLE, K.G.
Secretary of State for Colonies . . . . .		Right Hon. Earl of KIMBERLEY.
Secretary of State for War . . . . .		Right Hon. EDWARD CARDWELL.
Secretary of State for India . . . . .		His Grace the Duke of ARGYLL, K.G.
Chancellor of the Duchy of Lancaster . . . . .		Right Hon. JOHN BRIGHT.
First Lord of the Admiralty . . . . .		Right Hon. GEORGE JOACHIM GOSCHEN.
President of the Board of Trade . . . . .		Right Hon. CHICHESTER SAMUEL FORTESCUE.
Chief Secretary to the Lord Lieutenant (Ireland) . . . . .	}	Right Hon. Marquess of HARTINGTON.
President of the Local Government Board . . . . .		Right Hon. JAMES STANSFELD.
Vice President of the Committee of Coun- cil on Education . . . . .	}	Right Hon. WILLIAM EDWARD FORSTER.

## NOT IN THE CABINET.

Field Marshal Commanding-in-Chief . . . . .		H.R.H. the Duke of CAMBRIDGE, K.G.
Chief Commissioner of Works and Public Buildings . . . . .	}	Right Hon. WILLIAM PATRICK ADAM.
Postmaster General . . . . .		Right Hon. LYON PLAYFAIR.
Lords of the Treasury . . . . .	}	Lord FREDERICK CHARLES CAVENDISH, Hon. ALGER- NON W. F. GREVILLE, and WILLIAM HENRY GLAD- STONE, Esq.
Lords of the Admiralty . . . . .		Admiral Sir ALEXANDER MILNE, G.C.B., Rear Admiral JOHN WALTER TARBLETON, C.B., Rear Admiral FREDERICK BEAUCHAMP PAGET SEYMOUR, C.B., and Right Hon. Earl of CAMPERDOWN.
Joint Secretaries of the Treasury . . . . .	}	ARTHUR W. PEEL, Esq., and Right Hon. JOHN GEORGE DODSON.
Secretary of the Admiralty . . . . .		GEORGE JOHN SHAW-LEFEVRE, Esq.
Secretary to the Board of Trade . . . . .		JOHN TOMLINSON HIBBERT, Esq.
Secretary to the Local Government Board . . . . .		Viscount ENFIELD
Under Secretary, Home Department . . . . .		Right Hon. EDWARD HUGESSEN KNATCHBULL-HUGESSEN.
Under Secretary, Foreign Department . . . . .		Marquess of LANSDOWNE.
Under Secretary for Colonies . . . . .		MOUNTSTUART ELPHINSTONE GRANT DUFF, Esq.
Under Secretary for War . . . . .		Sir ROBERT JOSEPH PHILLIMORE, Knt.
Under Secretary for India . . . . .		Sir HENRY JAMES, Knt.
Judge Advocate General . . . . .		Sir WILLIAM G. G. VERNON HARCOURT, Knt.
Attorney General . . . . .		
Solicitor General . . . . .		

## SCOTLAND.

Lord Advocate . . . . .	Right Hon. GEORGE YOUNG.
Solicitor General . . . . .	ANDREW RUTHERFORD CLARK, Esq.

## IRELAND.

Lord Lieutenant . . . . .	Right Hon. Earl SPENCER, K.G., K.P.
Lord Chancellor . . . . .	Right Hon. Lord O'HAGAN.
Chief Secretary to the Lord Lieutenant . . . . .	Right Hon. Marquess of HARTINGTON.
Attorney General . . . . .	Right Hon. CHRISTOPHER PALLAS.
Solicitor General . . . . .	HUGH LAW, Esq.

## QUEEN'S HOUSEHOLD.

Lord Steward . . . . .	Right Hon. Earl of BESSBOROUGH.
Lord Chamberlain . . . . .	Right Hon. Viscount SYDNEY, G.C.B.
Master of the Horse . . . . .	Most Hon. Marquess of AILESBURY, K.G.
Treasurer of the Household . . . . .	Right Hon. Lord POLTIMORE.
Comptroller of the Household . . . . .	Lord OTHO AUGUSTUS FITZGERALD.
Vice Chamberlain of the Household . . . . .	Right Hon. Lord RICHARD DE AQUILA GROSVENOR.
Captain of the Corps of Gentlemen at Arms . . . . .	Right Hon. Earl COWPER.
Captain of the Yeomen of the Guard . . . . .	His Grace the Duke of ST. ALBANS.
Master of the Buckhounds . . . . .	Right Hon. Earl of CORK, K.P.
Chief Equerry and Clerk Marshal . . . . .	Lord ALFRED HENRY PAGET.
Mistress of the Robes . . . . .	Her Grace the Duchess of SUTHERLAND

# THE MINISTRY

AS FORMED BY THE RIGHT HONOURABLE BENJAMIN DISRAELI, AT THE  
COMMENCEMENT OF THE 21ST PARLIAMENT, MARCH 1874.

## THE CABINET.

First Lord of the Treasury . . . . .	Right Hon. BENJAMIN DISRAELI.
Lord Chancellor . . . . .	Right Hon. Lord CAIRNS.
President of the Council . . . . .	His Grace the Duke of RICHMOND, K.G.
Lord Privy Seal . . . . .	Right Hon. Earl of MALMESBURY, G.C.B.
Chancellor of the Exchequer . . . . .	Right Hon. Sir STAFFORD HENRY NORTHCOTE, Bt.
Secretary of State, Home Department . . . . .	Right Hon. RICHARD ASSHETON CROSS.
Secretary of State, Foreign Department . . . . .	Right Hon. Earl of DERBY.
Secretary of State for Colonies . . . . .	Right Hon. Earl of CARNARVON.
Secretary of State for War . . . . .	Right Hon. GATHORNE HARDY.
Secretary of State for India . . . . .	Most Hon. Marquess of SALISBURY.
First Lord of the Admiralty . . . . .	Right Hon. GEORGE WARD HUNT.
Postmaster General . . . . .	Right Hon. Lord JOHN J. R. MANNERS.

## NOT IN THE CABINET.

Field Marshal Commanding in Chief . . . . .	H.R.H. the Duke of CAMBRIDGE, K.G.
Chief Commissioner of Works and Public Buildings . . . . .	Lord HENRY GEORGE LENNOX.
Chancellor of the Duchy of Lancaster . . . . .	Right Hon. THOMAS EDWARD TAYLOR.
Vice President of the Committee of Council for Education . . . . .	Right Hon. Viscount SANDON.
President of the Board of Trade . . . . .	Right Hon. Sir CHARLES BOWYER ADDERLEY, Bart.
President of the Local Government Board . . . . .	Right Hon. GEORGE SCLATER-BOOTH.
Lords of the Treasury . . . . .	Viscount MAHON.
	ROWLAND WINN, Esq.
	Sir JAMES DALBYMPLE HORN ELPHINSTONE, Bt.
Lords of the Admiralty . . . . .	Admiral Sir ALEXANDER MILNE, G.C.B., Vice Admiral Sir JOHN WALTER TARLETON, K.C.B., Captain Lord GILFORD, and Sir MASSEY LOPES, Bart.
Joint Secretaries of the Treasury . . . . .	WILLIAM HART DYKE, Esq.
	WILLIAM HENRY SMITH, Esq.
Secretary of the Admiralty . . . . .	HON. ALGERNON T. FULKE EGERTON.
Secretary to the Board of Trade . . . . .	GEORGE CAVENDISH BENTINCK, Esq.
Secretary to the Local Government Board . . . . .	CLARE SEWELL READ, Esq.,
Under Secretary, Home Department . . . . .	Sir HENRY SELWIN IBBETSON, Bt.
Under Secretary, Foreign Department . . . . .	HON. ROBERT BOURKE.
Under Secretary for Colonies . . . . .	JAMES LOWTHER, Esq.
Under Secretary for War . . . . .	Earl of PEMBROKE.
Under Secretary for India . . . . .	Lord GEORGE F. HAMILTON.
Judge Advocate General . . . . .	Right Hon. STEPHEN CAVE.
Attorney General . . . . .	Sir JOHN BURGESS KARSLAKE, Knt.
Solicitor General . . . . .	Sir RICHARD BAGGALLAY, Knt.

## SCOTLAND.

Lord Advocate . . . . .	Right Hon. EDWARD STRATHEARN GORDON.
Solicitor General . . . . .	JOHN MILLAR, Esq.

## IRELAND.

Lord Lieutenant . . . . .	His Grace the Duke of ABERCORN, K.G.
Lord Chancellor . . . . .	
Chief Secretary to the Lord Lieutenant . . . . .	Right Hon. Sir MICHAEL EDWARD HICKS-BEACH, Bt.
Attorney General . . . . .	Right Hon. JOHN THOMAS BALL.
Solicitor General . . . . .	HENRY ORMSBY, Esq.

## QUEEN'S HOUSEHOLD.

Lord Steward . . . . .	Right Hon. Earl BEAUCHAMP.
Lord Chamberlain . . . . .	Most Hon. Marquess of HERTFORD.
Master of the Horse . . . . .	Right Hon. Earl of BRADFORD.
Treasurer of the Household . . . . .	Right Hon. Earl PERCY.
Comptroller of the Household . . . . .	Right Hon. Lord HENRY SOMERSET.
Vice Chamberlain of the Household . . . . .	Viscount BARRINGTON.
Captain of the Corps of Gentlemen at Arms . . . . .	Most Hon. Marquess of EXETER.
Captain of the Yeomen of the Guard . . . . .	Right Hon. Lord SKELMERSDALE.
Master of the Buckhounds . . . . .	Right Hon. Earl of HARDWICKE.
Chief Equerry and Clerk Marshal . . . . .	Lord ALFRED H. PAGET.
Mistress of the Robes . . . . .	Her Grace the Duchess of WELLINGTON.

# ROLL OF THE LORDS SPIRITUAL AND TEMPORAL

IN THE FIRST SESSION OF THE TWENTY-FIRST PARLIAMENT OF THE  
UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

37<sup>o</sup> VICTORIÆ 1874.

**MEM.**—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

HIS ROYAL HIGHNESS THE PRINCE OF WALES.

HIS ROYAL HIGHNESS ALFRED ERNEST ALBERT Duke of EDINBURGH.

HIS ROYAL HIGHNESS GEORGE FREDERICK ALEXANDER CHARLES ERNEST AUGUSTUS Duke of CUMBERLAND AND TEVIOTDALE. (*King of Hanover.*)

HIS ROYAL HIGHNESS GEORGE WILLIAM FREDERICK CHARLES Duke of CAMBRIDGE.

ARCHIBALD CAMPBELL Archbishop of CANTERBURY.

HUGH MAC CALMONT Lord CAIRNS, *Lord Chancellor.*

WILLIAM Archbishop of YORK.

CHARLES HENRY Duke of RICHMOND, *Lord President of the Council.*

JAMES HOWARD Earl of MALMESBURY, *Lord Privy Seal.*

HENRY Duke of NORFOLK, *Earl Marshal of England.*

EDWARD ADOLPHUS Duke of SOMERSET.

CHARLES HENRY Duke of RICHMOND. (*In another Place as Lord President of the Council.*)

WILLIAM HENRY Duke of GRAFTON.

HENRY CHARLES FITZROY Duke of BEAUFORT.

WILLIAM AMELIUS AUBREY DE VERE Duke of SAINT ALBANS.

GEORGE GODOLPHIN Duke of LEEDS.

FRANCIS CHARLES HASTINGS Duke of BEDFORD.

WILLIAM Duke of DEVONSHIRE.

JOHN WINSTON Duke of MARLBOROUGH.

CHARLES CECIL JOHN Duke of RUTLAND.

WILLIAM ALEXANDER LOUIS STEPHEN Duke of BRANDON. (*Duke of Hamilton.*)

WILLIAM JOHN Duke of PORTLAND.

WILLIAM DROGO Duke of MANCHESTER.

HENRY PELHAM ALEXANDER Duke of NEWCASTLE.

ALGERNON GEORGE Duke of NORTH-UMBERLAND.

ARTHUR RICHARD Duke of WELLINGTON.

RICHARD PLANTAGENET CAMPBELL Duke of BUCKINGHAM AND CHANDOS.

GEORGE GRANVILLE WILLIAM Duke of SUTHERLAND.

HARRY GEORGE Duke of CLEVELAND.

HUGH LUPUS Duke of WESTMINSTER.

FRANCIS HUGH GEORGE Marquess of HERTFORD, *Lord Chamberlain of the Household.*

JOHN Marquess of WINCHESTER.

JOHN SHOLTO Marquess of QUEENSBERRY. (*Elected for Scotland.*)

GEORGE Marquess of TWEEDDALE. (*Elected for Scotland.*)

HENRY CHARLES KEITH Marquess of LANSDOWNE.

JOHN VILLIERS STUART Marquess TOWNSHEND.

ROBERT ARTHUR TALBOT Marquess of SALISBURY.

JOHN ALEXANDER Marquess of BATH.

## ROLL OF THE LORDS SPIRITUAL AND TEMPORAL.

JAMES Marquess of ABERCORN. (*Duke of Abercorn.*)

FRANCIS HUGH GEORGE Marquess of HERTFORD. (*In another Place as Lord Chamberlain of the Household.*)

JOHN PATRICK Marquess of BUTE.

WILLIAM ALLEYNE Marquess of EXETER.

CHARLES Marquess of NORTHAMPTON.

JOHN CHARLES Marquess CAMDEN.

HENRY WILLIAM GEORGE Marquess of ANGLESEY.

WILLIAM HENRY HUGH Marquess of CHOLMONDELEY.

GEORGE WILLIAM FREDERICK Marquess of AILESBURY.

FREDERICK WILLIAM JOHN Marquess of BRISTOL.

ARCHIBALD Marquess of AILSA.

GEORGE AUGUSTUS CONSTANTINE Marquess of NORMANBY.

GEORGE FREDERICK SAMUEL Marquess of RIPON.

FREDERICK Earl BEAUCHAMP, *Lord Steward of the Household.*

CHARLES JOHN Earl of SHREWSBURY.

EDWARD HENRY Earl of DERBY.

FRANCIS THEOPHILUS HENRY Earl of HUNTINGDON.

GEORGE ROBERT CHARLES Earl of PEMBROKE AND MONTGOMERY.

WILLIAM REGINALD Earl of DEVON.

CHARLES JOHN Earl of SUFFOLK AND BERKSHIRE.

RUDOLPH WILLIAM BASIL Earl of DENBIGH.

FRANCIS WILLIAM HENRY Earl of WESTMORLAND.

GEORGE AUGUSTUS FREDERICK ALBEMARLE Earl of LINDSEY.

GEORGE HARRY Earl of STAMFORD AND WARRINGTON.

GEORGE JAMES Earl of WINCHILSEA AND NOTTINGHAM.

GEORGE PHILIP Earl of CHESTERFIELD.

JOHN WILLIAM Earl of SANDWICH.

ARTHUR ALGERNON Earl of ESSEX.

WILLIAM GEORGE Earl of CARLISLE.

WALTER FRANCIS Earl of DONCASTER. (*Duke of Buccleuch and Queensberry.*)

ANTHONY Earl of SHAFTESBURY.

——— Earl of BERKELEY.

MONTAGU Earl of ABINGDON.

RICHARD GEORGE Earl of SCARBROUGH.

GEORGE THOMAS Earl of ALBEMARLE.

GEORGE WILLIAM Earl of COVENTRY.

VICTOR ALBERT GEORGE Earl of JERSEY.

WILLIAM HENRY Earl POULETT.

SHOLTO JOHN Earl of MORTON. (*Elected for Scotland.*)

CLAUDE Earl of STRATHMORE AND KINGHORN. (*Elected for Scotland.*)

GEORGE Earl of HADDINGTON. (*Elected for Scotland.*)

THOMAS Earl of LAUDERDALE. (*Elected for Scotland.*)

DAVID GRAHAM DRUMMOND Earl of AIRLIE. (*Elected for Scotland.*)

JOHN THORNTON Earl of LEVEN AND MELVILLE. (*Elected for Scotland.*)

DUNBAR JAMES Earl of SELKIRK. (*Elected for Scotland.*)

SEWALLIS EDWARD Earl FERRERS.

WILLIAM WALTER Earl of DARTMOUTH.

CHARLES Earl of TANKERVILLE.

HENEAGE Earl of AYLESFORD.

FRANCIS THOMAS DE GREY Earl COWPER.

PHILIP HENRY Earl STANHOPE.

THOMAS AUGUSTUS WOLSTENHOLME Earl of MACCLESFIELD.

JAMES Earl GRAHAM. (*Duke of Montrose.*)

WILLIAM FREDERICK Earl WALDEGRAVE.

BERTRAM Earl of ASHBURNHAM.

CHARLES WYNDHAM Earl of HARRINGTON.

ISAAC NEWTON Earl of PORTSMOUTH.

GEORGE GUY Earl BROOKE and Earl of WARWICK.

AUGUSTUS EDWARD Earl of BUCKINGHAMSHIRE.

WILLIAM THOMAS SPENCER Earl FITZWILLIAM.

DUDLEY FRANCIS Earl of GUILFORD.

CHARLES PHILIP Earl of HARDWICKE.

HENRY EDWARD Earl of ILOHESTER.

REGINALD WINDSOR Earl DE LA WARR.

JACOB Earl of RADNOR.

JOHN POYNTZ Earl SPENCER.

WILLIAM LENNOX Earl BATHURST.

ARTHUR WILLS BLUNDELL TRUMBULL SANDYS RODEN Earl of HILLSBOROUGH. (*Marquess of Downshire.*)

EDWARD HYDE Earl of CLARENDON.

WILLIAM DAVID Earl of MANSFIELD.

WILLIAM Earl of ABERGAVENNY.

JOHN JAMES HUGH HENRY Earl STRANGE. (*Duke of Atholl.*)



## ROLL OF THE LORDS

WILLIAM HENRY Earl of MOUNT EDG- CUMBE.	WILLIAM HENRY HARE Earl of BANTRY. ( <i>Elected for Ireland.</i> )
HUGH Earl FORTESCUE.	JOHN Earl of ELDON.
HENRY HOWARD MOLYNEUX Earl of CARNARVON.	GEORGE AUGUSTUS FREDERICK LOUIS Earl HOWE.
GEORGE HENRY Earl CADOGAN.	CHARLES SOMMERS Earl SOMMERS.
JAMES HOWARD Earl of MALMESBURY. ( <i>In another Place as Lord Privy Seal.</i> )	JOHN EDWARD CORNWALLIS Earl of STRAD- BROKE.
JOHN VANSITTART DANVERS Earl of LANESBOROUGH. ( <i>Elected for Ireland.</i> )	GEORGE HENRY ROBERT CHARLES WILLIAM Earl VANE. ( <i>Marquess of Londonderry.</i> )
STEPHEN Earl of MOUNT CASHELL. ( <i>Elected for Ireland.</i> )	WILLIAM PITT Earl AMHERST.
HENRY JOHN REUBEN Earl of PORT- ARLINGTON. ( <i>Elected for Ireland.</i> )	JOHN FREDERICK VAUGHAN Earl CAWDOR.
WILLIAM RICHARD Earl ANNESLEY. ( <i>Elected for Ireland.</i> )	WILLIAM GEORGE Earl of MUNSTER.
JOHN Earl of ERNE. ( <i>Elected for Ireland.</i> )	ROBERT ADAM PHILIPS HALDANE Earl of CAMPERDOWN.
CHARLES FRANCIS ARNOLD Earl of WICKLOW. ( <i>Elected for Ireland.</i> )	THOMAS GEORGE Earl of LICHFIELD.
GEORGE CHARLES Earl of LUCAN. ( <i>Elected for Ireland.</i> )	GEORGE FREDERICK D'ARCY Earl of DURHAM.
SOMERSET RICHARD Earl of BELMORE. ( <i>Elected for Ireland.</i> )	GRANVILLE GEORGE Earl GRANVILLE.
FRANCIS Earl of BANDON. ( <i>Elected for Ireland.</i> )	HENRY Earl of EFFINGHAM.
FRANCIS ROBERT Earl of ROSSLYN.	HENRY JOHN Earl of DUCIE.
GEORGE GRIMSTON Earl of CRAVEN.	CHARLES MAUDE WORSLEY Earl of YAR- BOROUGH.
WILLIAM HILLIER Earl of ONSLOW.	JAMES HENRY ROBERT Earl INNES. ( <i>Duke of Roxburghe.</i> )
CHARLES Earl of ROMNEY.	THOMAS WILLIAM Earl of LEICESTER.
HENRY THOMAS Earl of CHICHESTER.	WILLIAM Earl of LOVELACE.
THOMAS Earl of WILTON.	LAWRENCE Earl of ZETLAND.
EDWARD JAMES Earl of POWIS.	CHARLES GEORGE Earl of GAINSBOROUGH.
HORATIO Earl NELSON.	FRANCIS CHARLES GRANVILLE Earl of ELLESMERE.
LAWRENCE Earl of ROSSE. ( <i>Elected for Ireland.</i> )	GEORGE STEVENS Earl of STRAFFORD.
SYDNEY WILLIAM HERBERT Earl MAN- VERS.	WILLIAM JOHN Earl of COTTENHAM.
HORATIO Earl of ORFORD.	HENRY RICHARD CHARLES Earl COWLEY.
HENRY Earl GREY.	ARCHIBALD WILLIAM Earl of WINTON. ( <i>Earl of Eglintoun.</i> )
HENRY Earl of LONSDALE.	WILLIAM Earl of DUDLEY.
DUDLEY Earl of HARROWBY.	JOHN Earl RUSSELL.
HENRY THYNNE Earl of HAREWOOD.	JOHN Earl of KIMBERLEY.
WILLIAM HUGH Earl of MINTO.	RICHARD Earl of DARTREY.
ALAN FREDERICK Earl CATHCART.	WILLIAM ERNEST Earl of FEVERSHAM.
JAMES WALTER Earl of VERULAM.	FREDERICK TEMPLE Earl of DUFFERIN.
ADELBERT WELLINGTON BROWNLOW Earl BROWNLOW.	JOHN ROBERT Earl SYDNEY.
EDWARD GRANVILLE Earl of SAINT GER- MANS.	ROBERT Viscount HEREFORD.
ALBERT EDMUND Earl of MORLEY.	WILLIAM HENRY Viscount STRATHALLAN. ( <i>Elected for Scotland.</i> )
ORLANDO GEORGE CHARLES Earl of BRAD- FORD.	HENRY Viscount BOLINGBROKE AND ST. JOHN.
FREDERICK Earl BEAUCHAMP. ( <i>In another Place as Lord Steward of the Household.</i> )	EVELYN Viscount FALMOUTH.
	GEORGE Viscount TORRINGTON.
	AUGUSTUS FREDERICK Viscount LEINSTER. ( <i>Duke of Leinster.</i> )



## SPIRITUAL AND TEMPORAL.

FRANCIS WHEELER Viscount HOOD.  
 MERVYN Viscount POWERSCOURT. (*Elected for Ireland.*)  
 THOMAS Viscount DE VESCI. (*Elected for Ireland.*)  
 JAMES Viscount LIFFORD. (*Elected for Ireland.*)  
 EDWARD Viscount BANGOR. (*Elected for Ireland.*)  
 HAYES Viscount DONERAILE. (*Elected for Ireland.*)  
 CORNWALLIS Viscount HAWARDEN. (*Elected for Ireland.*)  
 CARNEGIE ROBERT JOHN Viscount ST. VINCENT.  
 HENRY Viscount MELVILLE.  
 WILLIAM WELLS Viscount SIDMOUTH.  
 GEORGE FREDERICK Viscount TEMPLETOWN. (*Elected for Ireland.*)  
 JOHN CAMPBELL Viscount GORDON. (*Earl of Aberdeen.*)  
 EDWARD Viscount EXMOUTH.  
 JOHN LUKE GEORGE Viscount HUTCHINSON. (*Earl of Donoughmore.*)  
 RICHARD SOMERSET Viscount CLANCARTY. (*Earl of Clancarty.*)  
 WELLINGTON HENRY Viscount COMBERMERE.  
 JOHN HENRY THOMAS Viscount CANTERBURY.  
 ROWLAND Viscount HILL.  
 CHARLES STEWART Viscount HARDINGE.  
 GEORGE STEPHENS Viscount GOUGH.  
 STRATFORD Viscount STRATFORD DE REDCLIFFE.  
 CHARLES Viscount EVERSLEY.  
 CHARLES Viscount HALIFAX.  
 ALEXANDER NELSON Viscount BRIDPORT.  
 EDWARD BERKELEY Viscount PORTMAN.  
 EDWARD Viscount CARDWELL.  
  
 JOHN Bishop of LONDON.  
 CHARLES Bishop of DURHAM.  
 EDWARD HAROLD Bishop of WINCHESTER.  
 CONNOP Bishop of ST. DAVID'S.  
 ALFRED Bishop of LLANDAFF.  
 ROBERT Bishop of RIPON.  
 JOHN THOMAS Bishop of NORWICH.  
 JAMES COLQUHOUN Bishop of BANGOR.  
 HENRY Bishop of WORCESTER.  
 CHARLES JOHN Bishop of GLOUCESTER AND BRISTOL.  
 WILLIAM Bishop of CHESTER.

THOMAS LEGH Bishop of ROCHESTER.  
 GEORGE AUGUSTUS Bishop of LICHFIELD.  
 JAMES Bishop of HEREFORD.  
 WILLIAM CONNOR Bishop of PETERBOROUGH.  
 CHRISTOPHER Bishop of LINCOLN.  
 GEORGE Bishop of SALISBURY.  
 FREDERICK Bishop of EXETER.  
 HARVEY Bishop of CARLISLE.  
 ARTHUR CHARLES Bishop of BATH AND WELLS.  
 JOHN FIELDER Bishop of OXFORD.  
 JAMES Bishop of MANCHESTER.  
 RICHARD Bishop of CHICHESTER.  
 JOSHUA Bishop of ST. ASAPH.  
  
 DUDLEY CHARLES Lord DE ROS.  
 BERNARD EDWARD DELAVAL Lord HASTINGS.  
 EDWARD SOUTHWELL Lord DE CLIFFORD.  
 THOMAS CROSBY WILLIAM Lord DACRE.  
 CHARLES HENRY ROLLE Lord CLINTON.  
 ROBERT NATHANIEL CECIL GEORGE Lord ZOUCHE OF HARYNGWORTH.  
 CHARLES EDWARD HASTINGS Lord BOTREAUX.  
 THOMAS Lord CAMOYS.  
 HENRY Lord BEAUMONT.  
 ALFRED JOSEPH Lord STOURTON.  
 HENRY Lord WILLOUGHBY DE BROKE.  
 SACKVILLE GEORGE Lord CONYERS.  
 GEORGE Lord VAUX OF HARROWDEN.  
 RALPH GORDON Lord WENTWORTH.  
 ROBERT GEORGE Lord WINDSOR.  
 ST. ANDREW Lord ST. JOHN OF BLETSO.  
 FREDERICK GEORGE Lord HOWARD DE WALDEN.  
 WILLIAM BERNARD Lord PETRE.  
 FREDERICK BENJAMIN Lord SAYE AND SELE.  
 JOHN FRANCIS Lord ARUNDELL OF WARDOUR.  
 JOHN STUART Lord CLIFTON. (*Earl of Darnley.*)  
 JOHN BAPTIST JOSEPH Lord DORMER.  
 GEORGE HENRY Lord TEYNHAM.  
 HENRY VALENTINE Lord STAFFORD.  
 GEORGE FREDERICK WILLIAM Lord BYRON.  
 CHARLES HUGH Lord CLIFFORD OF CHUDLEIGH.  
 HORACE COURTENAY Lord FORBES. (*Elected for Scotland.*)

## ROLL OF THE LORDS

ALEXANDER Lord SALTOUN. ( <i>Elected for Scotland.</i> )	WILLIAM GEORGE Lord AUCKLAND.
JAMES Lord SINCLAIR. ( <i>Elected for Scotland.</i> )	GEORGE WILLIAM Lord LYTTELTON.
WILLIAM BULLER FULLERTON Lord ELPHINSTONE. ( <i>Elected for Scotland.</i> )	GEORGE Lord MENDIP. ( <i>Viscount Clifden.</i> )
CHARLES Lord BLANTYRE. ( <i>Elected for Scotland.</i> )	GEORGE Lord STUART OF CASTLE STUART. ( <i>Earl of Moray.</i> )
CHARLES JOHN Lord COLVILLE OF CULROSS. ( <i>Elected for Scotland.</i> )	ALAN PLANTAGENET Lord STEWART of GARLIES. ( <i>Earl of Galloway.</i> )
RICHARD EDMUND SAINT LAWRENCE Lord BOYLE. ( <i>Earl of Cork and Orrery.</i> )	JAMES GEORGE HENRY Lord SALTERSFORD. ( <i>Earl of Courtown.</i> )
GEORGE Lord HAY. ( <i>Earl of Kinnoul.</i> )	WILLIAM Lord BRODRICK. ( <i>Viscount Middleton.</i> )
HENRY Lord MIDDLETON.	FREDERICK HENRY WILLIAM Lord CALTHORPE.
WILLIAM JOHN Lord MONSON.	PETER ROBERT Lord GWYDIR.
JOHN GEORGE BRABAZON Lord PONSONBY. ( <i>Earl of Bessborough.</i> )	CHARLES ROBERT Lord CARRINGTON.
GEORGE JOHN Lord SONDES.	WILLIAM HENRY Lord BOLTON.
ALFRED NATHANIEL HOLDEN Lord SCARSDALE.	GEORGE Lord NORTHWICK.
FLORANCE GEORGE HENRY Lord BOSTON.	THOMAS LYTTLETON Lord LILFORD.
GEORGE JAMES Lord LOVEL AND HOLLAND. ( <i>Earl of Egmont.</i> )	THOMAS Lord RIBBLESDALE.
AUGUSTUS HENRY Lord VERNON.	EDWARD Lord DUNSANY. ( <i>Elected for Ireland.</i> )
EDWARD ST. VINCENT Lord DIGBY.	THEOBALD FITZ-WALTER Lord DUNBOYNE. ( <i>Elected for Ireland.</i> )
GEORGE DOUGLAS Lord SUNDRIDGE. ( <i>Duke of Argyll.</i> )	EDWARD DONOUGH Lord INCHQUIN. ( <i>Elected for Ireland.</i> )
EDWARD HENRY JULIUS Lord HAWKE.	ROBERT Lord CLONBROCK. ( <i>Elected for Ireland.</i> )
HENRY THOMAS Lord FOLEY.	CHARLES Lord HEADLEY. ( <i>Elected for Ireland.</i> )
FRANCIS WILLIAM Lord DINEVOR.	EDWARD HENRY CHURCHILL Lord CROFTON. ( <i>Elected for Ireland.</i> )
THOMAS Lord WALSINGHAM.	DAYROLLES BLAKENEY Lord VENTRY. ( <i>Elected for Ireland.</i> )
WILLIAM Lord BAGOT.	HENRY FRANCIS SEYMOUR Lord MOORE. ( <i>Marquess of Drogheda.</i> )
CHARLES HENRY Lord SOUTHAMPTON.	JOHN HENRY WELLINGTON GRAHAM Lord LOFTUS. ( <i>Marquess of Ely.</i> )
FLETCHER Lord GRANTLEY.	WILLIAM Lord CARYSFORT. ( <i>Earl of Carysfort.</i> )
GEORGE BRIDGES HARLEY DENNETT Lord RODNEY.	GEORGE RALPH Lord ABERCROMBY.
WILLIAM GORDON CORNWALLIS Lord ELIOT.	JOHN THOMAS Lord REDESDALE.
WILLIAM Lord BERWICK.	HORACE Lord RIVERS.
JAMES HENRY LEGGE Lord SHERBORNE.	CHARLES EDMUND Lord ELLENBOROUGH.
JOHN HENRY DE LA POER Lord TYRONE. ( <i>Marquess of Waterford.</i> )	AUGUSTUS FREDERICK ARTHUR Lord SANDYS
HENRY BENTINCK Lord CARLETON. ( <i>Earl of Shannon.</i> )	GEORGE AUGUSTUS FREDERICK CHARLES Lord SHEFFIELD. ( <i>Earl of Sheffield.</i> )
CHARLES Lord SUFFIELD.	THOMAS AMERICUS Lord ERSKINE.
GUY Lord DORCHESTER.	GEORGE JOHN Lord MONT EAGLE. ( <i>Marquess of Sligo.</i> )
LLOYD Lord KENYON.	GEORGE ARTHUR HASTINGS Lord GRANARD. ( <i>Earl of Granard.</i> )
CHARLES CORNWALLIS Lord BRAYBROOKE.	HUNGERFORD Lord CREWE.
GEORGE HAMILTON Lord FISHERWICK. ( <i>Marquess of Donegal.</i> )	ALAN LEGGE Lord GARDNER.
HENRY HALL Lord GAGE. ( <i>Viscount Gage.</i> )	JOHN THOMAS Lord MANNERS.
EDWARD THOMAS Lord THURLOW.	

## SPIRITUAL AND TEMPORAL.

JOHN ADRIAN LOUIS Lord HOPETOUN.  
(*Earl of Hopetoun.*)

CHARLES Lord MELDRUM. (*Marquess of Huntly.*)

GEORGE FREDERICK Lord ROSS. (*Earl of Glasgow.*)

WILLIAM WILLOUGHBY Lord GRINSTEAD.  
(*Earl of Enniskillen.*)

WILLIAM HALE JOHN CHARLES Lord FOXFORD. (*Earl of Limerick.*)

FRANCIS GEORGE Lord CHURCHILL.

GEORGE ROBERT CANNING Lord HARRIS.

REGINALD CHARLES EDWARD Lord COLCHESTER.

SCHOMBERG HENRY Lord KER. (*Marquess of Lothian.*)

FRANCIS NATHANIEL Lord MINSTER.  
(*Marquess Conyngham.*)

JAMES EDWARD WILLIAM THEOBALD Lord ORMONDE. (*Marquess of Ormonde.*)

FRANCIS Lord WEMYSS. (*Earl of Wemyss.*)

ROBERT Lord CLANBRASSILL. (*Earl of Roden.*)

WILLIAM LYGON Lord SILCHESTER. (*Earl of Longford.*)

CLOTWORTHY JOHN EYRE Lord ORIEL.  
(*Viscount Massereene.*)

HENRY THOMAS Lord RAVENSWORTH.

HUGH Lord DELAMERE.

JOHN GEORGE WELD Lord FORESTER.

JOHN WILLIAM Lord RAYLEIGH.

EDRIC FREDERIC Lord GIFFORD.

ULICK JOHN Lord SOMERHILL. (*Marquess of Clanricarde.*)

ALEXANDER WILLIAM CRAWFORD Lord WIGAN. (*Earl of Crawford and Balcarres.*)

THOMAS GRANVILLE HENRY STUART Lord RANFURLY. (*Earl of Ranfurly.*)

GEORGE Lord DE TABLEY.

EDWARD MONTAGU STUART GRANVILLE Lord WHARNCLIFFE.

CHARLES STUART AUBREY Lord TENTERDEN.

WILLIAM CONYNTHAM Lord PLUNKET.

WILLIAM HENRY ASHE Lord HEYTESBURY.

ARCHIBALD PHILIP Lord ROSEBERY. (*Earl of Rosebery.*)

RICHARD Lord CLANWILLIAM. (*Earl of Clanwilliam.*)

EDWARD Lord SKELMERSDALE.

WILLIAM DRAPER MORTIMER Lord WYNFORD.

WILLIAM HENRY Lord KILMARNOCK.  
(*Earl of Erroll.*)

ARTHUR JAMES Lord FINGALL. (*Earl of Fingall.*)

WILLIAM PHILIP Lord SEFTON. (*Earl of Sefton.*)

WILLIAM SYDNEY Lord CLEMENTS. (*Earl of Leitrim.*)

GEORGE WILLIAM FOX Lord ROSSIE.  
(*Lord Kinnaird.*)

THOMAS Lord KENLIS. (*Marquess of Headfort.*)

WILLIAM Lord CHAWORTH. (*Earl of Meath.*)

CHARLES ADOLPHUS Lord DUNMORE.  
(*Earl of Dunmore.*)

FOX Lord PANMURE. (*Earl of Dalhousie.*)

AUGUSTUS FREDERICK GEORGE WARWICK Lord POLTIMORE.

EDWARD MOSTYN Lord MOSTYN.

HENRY SPENCER Lord TEMPLEMORE.

VALENTINE FREDERICK Lord CLONCUBRY.

JOHN ST. VINCENT Lord DE SAUMAREZ.

LUCIUS BENTINCK Lord HUNSDON. (*Viscount Falkland.*)

THOMAS Lord DENMAN.

WILLIAM FREDERICK Lord ABINGER.

PHILIP Lord DE L'ISLE AND DUDLEY.

ALEXANDER HUGH Lord ASHBURTON.

EDWARD RICHARD Lord HATHERTON.

GEORGE HENRY CHARLES Lord STRAFORD.

ARCHIBALD BRABAZON SPARROW Lord WORLINGHAM. (*Earl of Gosford.*)

WILLIAM FREDERICK Lord STRATHEDEN.

GEOFFREY DOMINICK AUGUSTUS FREDERICK Lord ORANMORE AND BROWNE.  
(*Elected for Ireland.*)

THOMAS ALEXANDER Lord LOVAT.

WILLIAM BATEMAN Lord BATEMAN.

JAMES MOLYNEUX Lord CHARLEMONT.  
(*Earl of Charlemont.*)

FRANCIS ALEXANDER Lord KINTORE.  
(*Earl of Kintore.*)

GEORGE PONSONBY Lord LISMORE. (*Viscount Lismore.*)

HENRY CAIRNES Lord ROSSMORE.

ROBERT SHAPLAND Lord CAREW.

CHARLES FREDERICK ASHLEY COOPER Lord DE MAULEY.

## ROLL OF THE LORDS SPIRITUAL AND TEMPORAL.

ARTHUR Lord WROTTESLEY.	WINDHAM THOMAS Lord KENRY. ( <i>Earl of Dunraven and Mount-Earl.</i> )
SUDELEY CHARLES GEORGE TRACY Lord SUDELEY.	CHARLES STANLEY Lord MONCK. ( <i>Viscount Monck.</i> )
FREDERICK HENRY PAUL Lord METHUEN.	JOHN MAJOR Lord HARTISMERE. ( <i>Lord Henniker.</i> )
HENRY EDWARD JOHN Lord STANLEY OF ALDERLEY.	EDWARD ROBERT LYTTON Lord LYTTON.
WILLIAM HENRY Lord LEIGH.	WILLIAM GEORGE HYLTON Lord HYLTON.
BEILBY RICHARD Lord WENLOCK.	HUGH HENRY Lord STRATHNAIRN.
CHARLES Lord LURGAN.	EDWARD GORDON Lord PENRHYN.
THOMAS SPRING Lord MONTEAGLE OF BRANDON.	GUSTAVUS RUSSELL Lord BRANCEPETH. ( <i>Viscount Boyne.</i> )
JAMES Lord SEATON.	HUGH MAC CALMONT Lord CAIRNS. ( <i>In another Place as Lord High Chancellor.</i> )
EDWARD ARTHUR WELLINGTON Lord KEANE.	JOHN Lord KESTEVEN.
JOHN Lord OXENFOORD. ( <i>Earl of Stair.</i> )	JOHN Lord ORMATHWAITE.
CHARLES CRESPIGNY Lord VIVIAN.	BROOK WILLIAM Lord FITZWALTER.
JOHN Lord CONGLETON.	WILLIAM Lord O'NEILL.
DENIS ST. GEORGE Lord DUNSANDLE AND CLANCONAL. ( <i>Elected for Ireland.</i> )	ROBERT CORNELIS Lord NAPIER.
VICTOR ALEXANDER Lord ELGIN. ( <i>Earl of Elgin and Kincardine.</i> )	EDWARD ANTHONY JOHN Lord GORMANSTON. ( <i>Viscount Gormanston.</i> )
WILLIAM HENRY FORESTER Lord LONDESBOROUGH.	WILLIAM PAGE Lord HATHERLEY.
SAMUEL JONES Lord OVERSTONE.	JOHN LAIRD MAIR Lord LAWRENCE.
CHARLES ROBERT CLAUDE Lord TRURO.	JAMES PLAISTED Lord PENZANCE.
—— Lord DE FREYNE.	JOHN Lord DUNNING. ( <i>Lord Rollo.</i> )
EDWARD BURTENSHAW Lord SAINT LEONARDS.	JAMES Lord BALINHARD. ( <i>Earl of Southesk.</i> )
RICHARD HENRY FITZ-ROY Lord RAGLAN.	WILLIAM Lord HARE. ( <i>Earl of Listowel.</i> )
GILBERT HENRY Lord AVELAND.	EDWARD GEORGE Lord HOWARD OF GLOSSOP.
VALENTINE AUGUSTUS Lord KENMARE. ( <i>Earl of Kenmare.</i> )	JOHN Lord CASTLETOWN.
RICHARD BICKERTON PEMELL Lord LYONS.	JOHN EMERICH EDWARD Lord ACTON.
EDWARD Lord BELPER.	THOMAS JAMES Lord ROBARTES.
JAMES Lord TALBOT DE MALAHIDE.	GEORGE GRENFELL Lord WOLVERTON.
ROBERT Lord EBURY.	FULKE SOUTHWELL Lord GREVILLE.
JAMES Lord SKENE. ( <i>Earl Fife.</i> )	CHARLES WILLIAM Lord KILDARE.
WILLIAM GEORGE Lord CHESHAM.	THOMAS Lord O'HAGAN.
FREDERIC Lord CHELMSFORD.	JOHN Lord LISGAR.
JOHN Lord CHURSTON.	WILLIAM ROSE Lord SANDHURST.
JOHN CHARLES Lord STRATHSPEY. ( <i>Earl of Seafeld.</i> )	JOHN ARTHUR DOUGLAS Lord BLOOMFIELD
HENRY Lord LECONFIELD.	FREDERIC Lord BLACHFORD.
WILLIAM TATTON Lord EGERTON.	FRANCIS Lord ETTRICK. ( <i>Lord Napier.</i> )
CHARLES MORGAN ROBINSON Lord TREDGAR.	JOHN Lord HANMER.
FITZPATRICK HENRY Lord LYVEDEN.	ROUNDELL Lord SELBORNE.
WILLIAM Lord BROUGHAM AND VAUX.	GAVIN Lord BREADALBANE. ( <i>Earl of Breadalbane.</i> )
RICHARD AUGUSTUS Lord WESTBURY.	JAMES CHARLES HERBERT WELBORE ELLIS Lord SOMERTON. ( <i>Earl of Normanton.</i> )
FRANCIS WILLIAM FITZHARDINGE Lord FITZHARDINGE.	ROBERT ALEXANDER SHAFTO Lord WAVENEY.
LUKE GEORGE Lord ANNALY.	HENRY AUSTIN Lord ABERDARE.
RICHARD MONCKTON Lord HOUGHTON.	EDWARD GRANVILLE GEORGE Lord LANERTON.
—— Lord BUCKHURST.	JAMES Lord MONCREIFF.
JOHN Lord ROMILLY.	JOHN DUKE Lord COLERIDGE.
THOMAS GEORGE Lord NORTHBROOK.	WILLIAM Lord EMLY.
JAMES Lord BARROGILL. ( <i>Earl of Caithness.</i> )	CHICHESTER SAMUEL Lord CARLINGFORD.
THOMAS Lord CLERMONT.	THOMAS FRANCIS Lord COTTESLOE.
JAMES HERBERT GUSTAVUS MEREDYTH Lord MEREDYTH. ( <i>Lord Athlumney.</i> )	EDMUND Lord HAMMOND.
	JOHN SOMERSET Lord HAMPTON.
	JOHN Lord WINMARLEIGH.

# LIST OF THE COMMONS.

## THE NAMES OF MEMBERS.

THE NAMES OF MEMBERS RETURNED TO SERVE IN THE TWENTY-FIRST PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, SUMMONED TO MEET AT WESTMINSTER THE FIFTH DAY OF MARCH, ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FOUR, AS BY THE SEVERAL RETURNS FILED IN THE OFFICE OF THE CLERK OF THE CROWN IN CHANCERY APPEARS.

<b>BEDFORD COUNTY.</b> Richard Thomas Gilpin, Francis Bassett. <b>BEDFORD.</b> Samuel Whitbread, Frederick Charles Polhill-Turner.	<b>CAMBRIDGE COUNTY.</b> Lord George John Manners, Rt. hon. Henry Bouverie William Brand, Hon. Eliot Constantine Yorke. <b>CAMBRIDGE (UNIVERSITY).</b> Rt. hon. Spencer Horatio Walpole, Alexander James Beresford Beresford Hope. <b>CAMBRIDGE.</b> Alfred George Marten, Patrick Boyle Smollett.	<b>CORNWALL COUNTY.</b> <i>(Eastern Division.)</i> Sir Colman Rashleigh, bt., John Tremayne. <i>(Western Division.)</i> Sir John Saint Aubyn, bt., Arthur Pendarves Vivian.
<b>BERKS COUNTY.</b> Richard Benyon, Robert Loyd-Lindsay, John Walter. <b>READING.</b> Sir Francis Henry Gold- smid, bt., George John Shaw Lefevre. <b>WINDSOR (NEW).</b> Robert Richardson Gard- ner. <b>WALLINGFORD.</b> Edward Wells. <b>ABINGDON.</b> John Creemer Clarke.	<b>EAST CHESHIRE.</b> William John Legh, William Cunliffe Brooks. <b>MID CHESHIRE.</b> Hon. Wilbraham Egerton, Egerton Leigh. <b>WEST CHESHIRE.</b> Sir Philip de Malpas Grey Egerton, bt., Wilbraham Frederick Tol- lemache. <b>MACCLESFIELD.</b> William Coare Brockle- hurst, David Chadwick. <b>STOCKPORT.</b> Charles Henry Hopwood, Frederick Pennington. <b>BIRKENHEAD.</b> John Laird. <b>CHESTER.</b> Henry Cecil Raikes, John George Dodson.	<b>TRURO.</b> Sir Frederick Martin Wil- liams, bt., James Macnaghten Hogg. <b>PENRYN AND FALMOUTH.</b> David James Jenkins, Henry Thomas Cole. <b>BODMIN.</b> Edward Frederic Leveson- Gower. <b>LAUNCESTON.</b> James Henry Deakin. <b>LISKEARD.</b> Rt. hon. Edward Horsman. <b>HELSTON.</b> Adolphus William Young. <b>ST. IVES.</b> Edward Gershom Daven- port.
<b>BUCKINGHAM COUNTY.</b> Rt. hon. Benjamin Disraeli, Sir Robert Bateson Har- vey, bt., Nathaniel Grace Lambert. <b>AYLESBURY.</b> Nathaniel Mayer de Roths- child, Samuel George Smith. <b>BUCKINGHAM.</b> Egerton Hubbard. <b>MARLOW (GREAT).</b> Thomas Owen Wethered. <b>WYCOMBE (CHEPPING).</b> Hon. William Henry Pe- regrine Carington.		<b>CUMBERLAND COUNTY.</b> <i>(Eastern Division.)</i> Hon. Charles Wentworth George Howard, William Nicholson Hodg- son. <i>(Western Division.)</i> Hon. Percy Scawen Wynd- ham, Rt. Hon. Jocelyn Francis Lord Muncaster.



<i>List of</i>	{COMMONS, 1874}	<i>Members.</i>
CARLISLE. Robert Ferguson, Sir Wilfrid Lawson, bt.	DORSET COUNTY. John Floyer, Hon. William Henry Berkeley Portman, Henry Gerard Sturt.	ESSEX COUNTY— <i>cont.</i> ( <i>East Essex.</i> ) James Round, Samuel Brise Ruggles-Brise.
COCKERMOUTH. Isaac Fletcher.	WEYMOUTH AND MELCOMBE REGIS. Henry Edwards, Sir Frederick John William Johnstone, bt.	( <i>South Essex.</i> ) Thomas Charles Baring, William Thomas Makins.
WHITEHAVEN. George Augustus Frederick Cavendish Bentinck.	DORCHESTER. William Ernest Brymer.	COLCHESTER. Alexander Learmonth, Herbert Bulkeley Praed.
DERBY COUNTY. ( <i>North Derbyshire.</i> ) Lord George Henry Cavendish, Augustus Peter Arkwright.	BRIDPORT. Thomas Alexander Mitchell.	MALDON. George Montagu Warren Sandford.
( <i>South Derbyshire.</i> ) Sir Henry Wilmot, bt., Thomas William Evans.	SHAFTESBURY. Vere Fane Benett Stanford.	HARWICH. Henry Jervis White Jervis.
( <i>East Derbyshire.</i> ) Hon. Francis Egerton, Francis Arkwright.	WAREHAM. John Samuel Wanley Sawbridge Erle-Drax.	GLOUCESTER COUNTY. ( <i>Eastern Division.</i> ) Sir Michael Edward Hicks-Beach, bt., John Reginald Yorke.
DERBY. Michael Thomas Bass, Samuel Plimsoll.	POOLE. Charles Waring.	( <i>Western Division.</i> ) Hon. Randall Edward Sherborne Plunkett, Robert Nigel Fitzhardinge Kingscote.
DEVON COUNTY. ( <i>North Devonshire.</i> ) Rt. hon. Sir Stafford Henry Northcote, bt., Sir Thomas Dyke Acland, bt.	DURHAM COUNTY. ( <i>Northern Division.</i> ) Isaac Lowthian Bell, Charles Mark Palmer.	STROUD. Walter John Stanton, Sebastian Stewart Dickinson.
( <i>East Devonshire.</i> ) Sir Lawrence Palk, bt., Sir John Henry Kennaway, bt.	( <i>Southern Division.</i> ) Joseph Whitwell Pease, Frederick Edward Blackett Beaumont.	TEWKESBURY. William Edwin Price.
( <i>South Devonshire.</i> ) Sir Lopes Massey Lopes, bt., John Carpenter Garnier.	DURHAM (CITY). Thomas Charles Thompson, John Henderson.	CIRENCESTER. Allen Alexander Bathurst.
TIVERTON. John Heathcoat Amory, Rt. hon. William Nathaniel Massey.	SUNDERLAND. Edward Temperley Gourley, Sir Henry Marshman Havelock, bt.	CHELTENHAM. James Tynte Agg-Gardner.
PLYMOUTH. Edward Bates, Sampson Samuel Lloyd.	GATESHEAD. Walter Henry James.	GLOUCESTER. William Killigrew Wait, Charles James Monk.
BARNSTAPLE. Thomas Cave, Samuel Danks Waddy.	SHIELDS (SOUTH). James Cochran Stevenson.	HEREFORD COUNTY. Sir Joseph Russell Bailey, bt., Michael Biddulph, Daniel Peploe Peploe.
DEVONPORT. John Henry Puleston, George Edward Price.	DARLINGTON. Edmund Backhouse.	HEREFORD. Evan Pateshall, George Arbuthnot, George Clive.
TAVISTOCK. Lord Arthur John Edward Russell.	HARTLEPOOL. Thomas Richardson.	LEOMINSTER. Richard Arkwright.
EXETER. Arthur Mills, John George Johnson.	STOCKTON. Joseph Dodds.	
	ESSEX COUNTY. ( <i>West Essex.</i> ) Sir Henry John Selwin Ibbetson, bt., Lord Eustace Henry Brownlow Gascoyne Cecil.	

*List of*

{ COMMONS, 1874 }

*Members.*

**HERTFORD COUNTY.**

Thomas Frederick Halsey,  
Abel Smith,  
Hon. Henry Frederick  
Cowper.

**HERTFORD.**  
Arthur James Balfour.

**HUNTINGDON  
COUNTY.**

Edward Fellowes,  
Sir Henry Carstairs Pelly,  
bt.

**HUNTINGDON.**  
Sir John Burgess Karslake,  
knt.

**KENT COUNTY.**

*(Eastern Division.)*  
Hon. George Watson Milles,  
Edward Leigh Pemberton.

*(West Kent.)*  
Sir Charles Henry Mills, bt.  
John Gilbert Talbot.

*(Mid Kent.)*  
Hon. William Archer (Am-  
herst) Viscount Holmes-  
dale,  
William Hart Dyke.

**ROCHESTER.**  
Julian Goldsmid,  
Philip Wykeham-Martin.

**MAIDSTONE.**  
Sir John Lubbock, bt.,  
Sir Sydney Hedley Water-  
low, bt.

**GREENWICH.**  
Thomas William Boord,  
Rt. hon. William Ewart  
Gladstone.

**CHATHAM.**  
George Elliot.

**GRAVESEND.**  
Bedford Clapperton Tre-  
velyan Pim.

**CANTERBURY.**  
Henry Alexander Monro  
Butler-Johnstone,  
Lewis Ashurst Majendie.

**LANCASTER COUNTY.**

*(North Lancashire.)*  
Rt. hon. John Wilson-  
Patten,  
Hon. Frederick Arthur  
Stanley.

*(North-east Lancashire.)*  
James Maden Holt,  
John Pierce Chamberlain  
Starkie.

**LANCASTER COUNTY—cont.**

*(South-east Lancashire.)*  
Hon. Algernon Fulke Eger-  
ton,  
Edward Hardcastle.

*(South-west Lancashire.)*  
Charles Turner,  
Richard Assheton Cross.

**LIVERPOOL.**  
Hon. Dudley Francis Stuart  
(Ryder) Viscount Sandon,  
John Torr,  
William Rathbone.

**MANCHESTER.**  
Hugh Birley,  
Sir Thomas Bazley, bt.,  
William Romaine Callen-  
der.

**PRESTON.**  
Edward Hermon,  
John Holker.

**WIGAN.**  
Hon. Lord Lindsay,  
Thomas Knowles.

**BOLTON.**  
John Hick,  
John Kynaston Cross.

**BLACKBURN.**  
Henry Master Feilden,  
William Edward Briggs.

**OLDHAM.**  
Frederick Lowten Spinks,  
John Morgan Cobbett.

**SALFORD.**  
Charles Edward Cawley,  
William Thomas Charley.

**CLITHEROE.**  
Ralph Assheton.

**ASHTON-UNDER-LYNE.**  
Thomas Walton Mellor.

**BURY.**  
Robert Needham Philips.

**ROCHDALE.**  
Thomas Bayley Potter.

**WARRINGTON.**  
Gilbert Greenall.

**BURNLEY**  
Richard Shaw.

**STALEYBRIDGE.**  
Tom Harrop Sidebottom.

**LEICESTER COUNTY.**

*(Northern Division.)*  
Samuel William Clowes,  
Rt. hon. Lord John James  
Robert Manners.

*(Southern Division.)*  
William Unwin Heygate,  
Albert Pell.

**LEICESTER.**

Peter Alfred Taylor,  
Alexander M'Arthur.

**LINCOLN COUNTY.**

*(North Lincolnshire.)*  
Sir John Dugdale Astley,  
bt.,  
Rowland Winn.

*(Mid Lincolnshire.)*  
Henry Chaplin,  
Hon. Edward Stanhope.

*(South Lincolnshire.)*  
William Earle Welby,  
Edmund Turnor.

**GRANTHAM.**  
Sir Hugh Arthur Henry  
Cholmeley, bt.,  
Henry Francis Cockayne  
Cust.

**BOSTON.**  
William James Ingram,  
Thomas Parry.

**STAMFORD.**  
Rt. hon. Sir John Charles  
Dalrymple Hay, bt.

**GRIMSBY (GREAT).**  
John Chapman.

**LINCOLN.**  
Edward Chaplin,  
Charles Seely.

**MIDDLESEX COUNTY.**

Lord George Francis Ha-  
milton,  
Octavius Edward Coope.

**WESTMINSTER.**  
William Henry Smith,  
Sir Charles Russell, bt.

**TOWER HAMLETS.**  
Charles Thompson Ritchie,  
Joseph D'Aguilar Samuda.

**HACKNEY.**  
Charles Reed,  
John Holms.

**FINSBURY.**  
William Torrens M'Cul-  
lagh Torrens,  
Andrew Lusk [Lord Mayor  
of London].

**MARYLEBONE.**  
William Forsyth,  
Sir Thomas Chambers, knt.

**CHELSEA.**  
Sir Charles Wentworth  
Dilke, bt.,  
William Gordon.



<i>List of</i>	{COMMONS, 1874}	<i>Members.</i>
LONDON (UNIVERSITY). Rt. hon. Robert Lowe.	NORTHUMBERLAND COUNTY — <i>cont.</i>	WOODSTOCK. Lord Randolph Henry Spencer Churchill.
LONDON. William James Richmond Cotton, Philip Twells, John Gellibrand Hubbard, Rt. hon. George Joachim Goschen.	( <i>Southern Division.</i> ) Wentworth Blackett Beau- mont, Hon. Henry George Liddell.	BANBURY. Bernhard Samuelson.
MONMOUTH COUNTY. Hon. Frederick Courtenay Morgan, Hon. Lord Henry Richard Charles Somerset.	MORPETH. Thomas Burt.	RUTLAND COUNTY. Hon. Gerard James Noel, George Henry Finch.
MONMOUTH. Thomas Cordes.	TYNEMOUTH. Thomas Eustace Smith.	SALOP COUNTY. ( <i>Northern Division.</i> ) John Ralph Ormsby-Gore, Hon. George Cecil Orlando (Bridgeman) Viscount Newport.
NORFOLK COUNTY. ( <i>West Norfolk.</i> ) Sir William Bagge, bt., George William Pierre- pont Bentinck.	NEWCASTLE-UPON-TYNE. Joseph Cowen, Charles Frederick Hamond.	( <i>Southern Division.</i> ) Rt. hon. Sir Percy Egerton Herbert, Edward Corbett.
( <i>North Norfolk.</i> ) Sir Edmund Henry Knowles Lacon, bt., Hon. Frederick Walpole.	BERWICK-UPON-TWEED. Sir Dudley Coutts Marjori- banks, bt., David Milne Holme.	SHREWSBURY. Charles Cecil Cotes, Henry Robertson.
( <i>South Norfolk.</i> ) Sir Robert Jacob Buxton, bt. Clare Sewell Read.	NOTTINGHAM COUNTY. ( <i>Northern Division.</i> ) Frederick Chatfield Smith, Hon. George Edmund Milnes Monckton.	WENLOCK. Rt. hon. George Cecil Weld Forester, Alexander Hargreaves Brown.
KING'S LYNN. Hon. Robert Bourke, Lord Claud John Hamilton.	( <i>Southern Division.</i> ) Thomas Blackburne Thoro- ton Hildyard, George Storer.	LUDLOW. Hon. George Herbert Windsor Windsor-Clive.
NORWICH. Jeremiah James Colman, John Walter Huddleston.	NEWARK-UPON-TRENT. Thomas Earp, Samuel Boteler Bristowe.	BRIDGNORTH. William Henry Foster.
NORTHAMPTON COUNTY. ( <i>Northern Division.</i> ) Rt. hon. George Ward Hunt, Sackville George Stopford- Sackville.	RETFORD (EAST). Hon. George Edward Arundell (Monckton-A- rundell) Viscount Gal- way, Francis John Savile Fol- jambe.	SOMERSET COUNTY. ( <i>East Somerset.</i> ) Ralph Shuttleworth Allen, Richard Bright.
( <i>Southern Division.</i> ) Sir Rainald Knightley, bt., Fairfax William Cart- wright.	NOTTINGHAM. William Evelyn Denison, Saul Isaac.	( <i>Mid Somerset.</i> ) Richard Horner Paget, Ralph Neville Grenville.
PETERBOROUGH. Thompson Hankey, George Hammond Whalley.	OXFORD COUNTY. Rt. hon. Joseph Warner Henley, John Sidney North, William Cornwallis Cart- wright.	( <i>West Somerset.</i> ) Hon. Arthur Wellington Alexander Nelson Hood, Vaughan Hanning Lee.
NORTHAMPTON. Pickering Phipps, Charles Gilpin.	OXFORD (UNIVERSITY). Rt. hon. Gathorne Hardy, Rt. hon. John Robert Mow- bray.	BATH. Arthur Divett Hayter, Nathaniel George Philips Bousfield.
NORTHUMBERLAND COUNTY. ( <i>Northern Division.</i> ) Henry George (Percy) Earl Percy, Matthew White Ridley.	OXFORD (CITY). Sir William George Gran- ville Venables Vernon- Harcourt, knt., Rt. hon. Edward Cardwell.	TAUNTON. Alexander Charles Bar- clay, Sir Henry James, knt.
		FROME. Henry Charles Lopes.
		BRISTOL. Kirkman Daniel Hodgson, Samuel Morley.

<i>List of</i>	{ COMMONS, 1874 }	<i>Members.</i>
<b>SOUTHAMPTON COUNTY.</b> ( <i>Northern Division.</i> ) George Sclater-Booth, William Wither Bramston Beach.	<b>WEDNESBURY.</b> Alexander Brogden. <b>LICHFIELD.</b> Richard Dyott.	<b>LEWES.</b> William Langham Christie.
( <i>Southern Division.</i> ) Lord Henry John Montagu-Douglas-Scott, Rt. hon. William Francis Cowper-Temple.	<b>SUFFOLK COUNTY.</b> ( <i>Eastern Division.</i> ) Frederick Brook (Thelluson) Lord Rendlesham, Arthur Philip (Stanhope) Viscount Mahon. ( <i>Western Division.</i> ) Windsor Parker, Lord Augustus Henry Charles Hervey.	<b>HORSHAM.</b> Rt. hon. Sir William Robert Seymour Vesey Fitzgerald.
<b>WINCHESTER.</b> William Barrow Simonds, Arthur Robert Naghten.	<b>IPSWICH.</b> James Redfoord Bulwer, John Pattison Cobbold.	<b>MIDHURST.</b> Charles George Perceval.
<b>PORTSMOUTH.</b> Sir James Dalrymple Horn Elphinstone, bt., Hon. Thomas Charles Bruce,	<b>BURY ST. EDMUNDS.</b> Edward Greene, Lord Francis Hervey.	<b>WARWICK COUNTY.</b> ( <i>Northern Division.</i> ) Charles Newdigate Newdegate, William Bromley Davenport.
<b>LYMINGTON.</b> Edmund Hegan Kennard.	<b>EYE.</b> Hon. George William Viscount Barrington.	( <i>Southern Division.</i> ) Hon. Hugh de Grey Seymour (Earl of Yarmouth.) Sir John Eardley Eardley Wilmot.
<b>ANDOVER.</b> Henry Wellesley.	<b>SURREY COUNTY.</b> ( <i>East Surrey.</i> ) James Watney, William Grantham.	<b>BIRMINGHAM.</b> Rt. hon. John Bright, George Dixon, Philip Henry Muntz.
<b>CHRISTCHURCH.</b> Sir Henry Drummond Wolff.	( <i>Mid Surrey.</i> ) Henry William Peek, Sir Richard Baggallay, knt. ( <i>West Surrey.</i> ) George Cubitt, Lee Steere.	<b>WARWICK.</b> George William John Repton, Arthur Wellesley Peel.
<b>PETERSFIELD.</b> Hon. Sydney Hylton Jolliffe.	<b>SOUTHWARK.</b> John Locke, Francis Marcus Beresford.	<b>COVENTRY.</b> Henry William Eaton, Henry Mather Jackson.
<b>SOUTHAMPTON.</b> Sir Frederick Perkins, knt., Rt. hon. Russell Gurney.	<b>LAMBETH.</b> Sir James Clarke Lawrence, bt., William McArthur.	<b>WESTMORELAND COUNTY.</b> Thomas (Taylour) Earl of Bective, Hon. William Lowther.
<b>STAFFORD COUNTY.</b> ( <i>North Staffordshire.</i> ) Rt. hon. Sir Charles Bowyer Adderley, bt., Colin Minton Campbell.	<b>GUILDFORD.</b> Denzil Roberts Onslow.	<b>KENDAL.</b> John Whitwell.
( <i>West Staffordshire.</i> ) Alexander Staveley Hill, Francis Monckton.	<b>SUSSEX COUNTY.</b> ( <i>Eastern Division.</i> ) George Burrow Gregory, Montagu David Scott.	( <i>WIGHT</i> ) ISLE OF. Alexander Baillie Dundas Wishart Ross Cochrane.
( <i>East Staffordshire.</i> ) Samuel Charles Alsopp, Michael Arthur Bass.	<b>WILTS COUNTY.</b> ( <i>Northern Division.</i> ) George Thomas John Bucknall Estcourt, Sir George Samuel Jenkinson, bt.	NEWPORT, ISLE OF WIGHT. Charles Cavendish Clifford.
<b>STAFFORD.</b> Thomas Salt, Alexander Macdonald.	( <i>Western Division.</i> ) Walter Barttelot Barttelot, Hon. Charles Henry (Gordon Lennox) Earl of March.	<b>WILTS COUNTY.</b> ( <i>Northern Division.</i> ) George Thomas John Bucknall Estcourt, Sir George Samuel Jenkinson, bt.
<b>TAMWORTH.</b> Rt. hon. Sir Robert Peel, bt., Robert William Hanbury.	<b>SHOREHAM (NEW).</b> Sir Percy Burrell, bt., Rt. hon. Stephen Cave.	( <i>Southern Division.</i> ) Lord Henry Frederick Thynne, Hon. William Pleydell Bouverie (Viscount Folkestone.)
<b>NEWCASTLE-UNDER-LYME.</b> Sir Edmund Buckley, bt., William Shepherd Allen.	<b>BRIGHTHELMSTONE.</b> James Lloyd Ashbury, Charles Cameron Shute.	<b>NEW SARUM (SALISBURY).</b> Granville Richard Ryder, John Alfred Lush.
<b>WOLVERHAMPTON.</b> Rt. hon. Charles Pelham Villiers, Thomas Matthias Weguelin.	<b>CHICHESTER.</b> Lord Henry George Charles Gordon Lennox.	<b>CRICKLADE.</b> Sir Daniel Gooch, bt., Ambrose Lethbridge Goddard.
<b>STOKE-UPON-TRENT.</b> George Melly, Robert Heath.		
<b>WALSALL.</b> Charles Forster.		

*List of*

{COMMONS, 1874}

*Members.*

DEVIZES.

Sir Thomas Bateson, bt.  
MARLBOROUGH.  
Rt. hon. Lord Ernest Augustus Charles Brudenell-Bruce.

CHIPPENHAM.

Gabriel Goldney.  
CALNE.  
Lord Edmond Fitzmaurice.

MALMESBURY.

Walter Powell.

WESTBURY.

Abraham Laverton.

WILTON.

Sir Edmund Antrobus, bt.

WORCESTER COUNTY.

(*Eastern Division.*)

Henry Alsopp,  
Thomas Eades Walker.

(*Western Division.*)

Frederick Winn Knight,  
William Edward Dowdeswell.

EVESHAM.

James Bourne.

DROITWICH.

John Corbett.

BEWDLEY.

Charles Harrison.

DUDLEY.

Henry Brinsley Sheridan.

KIDDERMINSTER.

Albert Grant.

WORCESTER.

Alexander Clunes Sherriff,  
Thomas Rowley Hill.

YORK COUNTY.

(*North Riding.*)

Rt. hon. William Reginald (Duncombe) Viscount Helmsley,  
Frederick Acclom Milbank.

(*East Riding.*)

Christopher Sykes,  
William Henry Harrison Broadley.

(*West Riding, Northern Division.*)

Lord Frederick Charles Cavendish,  
Matthew Wilson.

(*West Riding, Eastern Division.*)

Christopher Beckett Denison,  
Joshua Fielden.

(*West Riding, Southern Division.*)

Walter Thomas William Spencer Stanhope,  
Lewis Randal Starkey.

YORK COUNTY—*cont.*

LEEDS.

Robert Meek Carter,  
William St. James Wheelhouse,  
Robert Tennant.

PONTEFRACT.

Rt. hon. Hugh Culling Eardley Childers,  
Samuel Waterhouse.

SCARBOROUGH.

Sir Charles Legard, bt.,  
Sir Harcourt Vanden Bempde Johnstone, bt.

SHEFFIELD.

John Arthur Roebuck,  
Anthony John Mundella.

BRADFORD.

Rt. hon. William Edward Forster,  
Henry William Ripley.

HALIFAX.

John Crossley,  
Rt. hon. James Stansfeld.

KNARESBOROUGH.

Basil Thomas Woodd.

MALTON.

Hon. Charles William Wentworth-Fitzwilliam.  
RICHMOND.

John Charles Dundas.

RIPON.

Rt. hon. Frederick Oliver (Robinson) Earl de Grey.  
HUDDERSFIELD.

Edward Aldam Leatham.

THIRSK.

Sir William Payne Gallwey, bt.

NORTHALLERTON.

George William Elliot.

WAKEFIELD.

Edward Green.

WHITBY.

William Henry Gladstone.  
YORK CITY.

George Leeman,

James Lowther.

MIDDLESBOROUGH.

Henry William Ferdinand Bolckow.

DEWSBURY.

John Simon.

KINGSTON-UPON-HULL.

Charles Henry Wilson,  
Charles Morgan Norwood.

BARONS OF THE CINQUE PORTS.

DOVER.

Charles Kaye Freshfield,  
Alexander George Dickson.

BARONS OF THE CINQUE PORTS—*cont.*

HASTINGS.

Thomas Brassey,  
Ughtred James Kay-Shuttleworth.

SANDWICH.

Henry Arthur Brassey,  
Rt. hon. Edward Hugessen Knatchbull-Hugessen.

HYTHE.

Sir Edward William Watkin.

RYE.

John Stewart Hardy.

WALES.

ANGLESEA COUNTY.

Richard Davies.

BEAUMARIS.

Morgan Lloyd.

BRECKNOCK COUNTY.

Hon. Godfrey Charles Morgan.

BRECKNOCK.

James Price William Gwynne Holford.

CARDIGAN COUNTY.

Thomas Edward Lloyd.

CARDIGAN, &c.

David Davies.

CARMARTHEN

COUNTY.

Hon. Frederick Archibald Vaughan Campbell (Viscount Emlyn),  
John Jones.

CARMARTHEN, &c.

Charles William Nevill.

CARNARVON COUNTY.

Hon. George Sholto Douglas Pennant.

CARNARVON, &c.

William Bulkeley Hughes.

DENBIGH COUNTY.

Sir Watkin Williams Wynn, bt.,

George Osborne Morgan.

DENBIGH, &c.

Watkin Williams.

FLINT COUNTY.

Lord Richard de Aquila Grosvenor.

FLINT, &c.

Peter Ellis Eyton.

GLAMORGAN COUNTY.

Henry Hussey Vivian,  
Christopher Rice Mansel Talbot.

<i>List of</i>	{COMMONS, 1874}	<i>Members.</i>
GLAMORGAN COUNTY— <i>cont.</i> MERTHYR TYDVIL. Henry Richard, Richard Fothergill. CARDIFF, &c. James Frederick Dudley Crichton-Stuart. SWANSEA, &c. Lewis Llewelyn Dillwyn.	CAITHNESSSHIRE. Sir John George Tolle- mache Sinclair, bt. WICK, KIRKWALL, &c. John Pender. CLACKMANNAN AND KINROSS. Rt. hon. William Patrick Adam. DUMBARTON. Archibald Orr Ewing. DUMFRIESSHIRE. John James Hope-John- stone. DUMFRIES, &c. Ernest Noel. EDINBURGHSHIRE. Rt. hon. William Henry (Montagu Douglas Scott) Earl of Dalkeith. EDINBURGH. Duncan McLaren, James Cowan. UNIVERSITIES OF EDIN- BURGH AND ST. ANDREWS. Rt. hon. Lyon Playfair. BURGH OF LEITH, &c. Donald Robert Macgregor. ELGIN AND NAIRN. Hon. Alexander William George (Duff) Viscount Macduff. BURGH OF ELGIN, &c. Mountstuart Elphinstone Grant Duff. FALKIRK, &c. BURGH. John Ramsay. FIFE. Sir Robert Anstruther, bt. BURGH OF ST. ANDREWS. Edward Ellice. KIRKCALDY, DYSART, &c. Robert Reid. FORFAR. James William Barclay. TOWN OF DUNDEE. James Yeaman, Edward Jenkins. MONTROSE, &c. Rt. hon. William Edward Baxter. HADDINGTON. Hon. Francis Wemyss (Charteris) Lord Elcho. HADDINGTON BURGH. Sir Henry Robert Fer- guson Davie, bt. INVERNESS. Donald Cameron. INVERNESS, &c. Charles Fraser Mackintosh. KINCARDINESHIRE. Sir George Balfour. KIRKCUDBRIGHT. John Maitland.	LANARK. (North Lanarkshire.) Sir Thomas Edward Cole- brooke, bt. (South Lanarkshire.) Sir Windham Charles James Carmichael - Anstruther, bt. GLASGOW. Charles Cameron, George Anderson, Alexander Whitelaw. UNIVERSITIES OF GLAS- GOW AND ABERDEEN. Rt. hon. Edward Strathearn Gordon. LINLITHGOW. Peter McLagan. ORKNEY AND SHETLAND. Samuel Laing. PEEBLES AND SELKIRK. Sir Graham Graham Mont- gomery, bt. PERTH. Sir William Sterling Max- well, bt. TOWN OF PERTH. Hon. Arthur FitzGerald Kinnaird. RENFREWSHIRE. William Mure. PAISLEY. William Holms. GREENOCK. James Johnstone Grieve. ROSS AND CROMARTY. Alexander Matheson. ROXBURGH. Sir George Henry Scott Douglas, bt. HAWICK, SELKIRK, &c. George Otto Trevelyan. STIRLING. Sir William Edmonstone, bt. STIRLING, &c. Henry Campbell-Banner- man. SUTHERLAND. Marquess of Stafford. WIGTON. Robert Vans Agnew. WIGTON, &c. Mark John Stewart.
MERIONETH COUNTY. Samuel Holland.		
MONTGOMERY COUNTY. Charles Watkin Williams Wynn. MONTGOMERY. Hon. Charles Douglas Richard Hanbury-Tracy.		
PEMBROKE COUNTY. John Henry Scourfield. PEMBROKE. Edward James Reed, C.B. HAVERFORDWEST. William Baron Kensington.		
RADNOR COUNTY. Hon. Arthur Walsh. NEW RADNOR. Rt. hon. Spencer Compton (Cavendish) Marquess of Hartington.		
SCOTLAND.		
ABERDEEN. (East Aberdeenshire.) William Dingwall Fordyce. (West Aberdeenshire.) William McCombie. ABERDEEN. John Farley Leith. ARGYLE. John Douglas Sutherland (Campbell) Marquess of Lorne. AYR. (North Ayrshire.) Roger Montgomerie. (South Ayrshire.) Claud Alexander. KILMARNOCK, RENFREW, &c. James Fortescue Harrison. BURGH OF AYR, &c. Sir William James Mont- gomery Cuninghame, bt. BANFF. Robert William Duff. BERWICK. Hon. Robert Baillie-Hamil- ton. BUTE. Charles Dalrymple.		
		IRELAND.
		ANTRIM COUNTY. James Chaine, Hon. Edward O'Neill. BELFAST. James Porter Corry, William Johnston.



*List of*

## {COMMONS, 1874}

*Members.*

**LISBURN.**  
 Richard Wallace, bt.  
**CARRICKFERGUS.**  
 Marriott Robert Dalway.  
**ARMAGH COUNTY.**  
 Edward Wingfield Verner,  
 Maxwell Charles Close.  
**ARMAGH (CITY).**  
 John Vance.  
**CARLOW COUNTY.**  
 Henry Bruen,  
 Arthur Kavanagh.  
**CARLOW (BOROUGH).**  
 Henry Owen Lewis.  
**CAVAN COUNTY.**  
 Charles Joseph Fay,  
 Joseph Gillis Biggar.  
**CLARE COUNTY.**  
 Rt. hon. Sir Colman Michael  
 O'Loughlen, bt.,  
 Rt. hon. Lord Francis  
 Conyngham.  
**ENNIS.**  
 William Stacpoole.  
**CORK COUNTY.**  
 McCarthy Downing,  
 William Shaw.  
**BANDON BRIDGE.**  
 Alexander Swanston.  
**YOUGHAL.**  
 Sir Joseph Neale McKenna,  
 knt.  
**KINSALE.**  
 Eugene Collins.  
**MALLOW.**  
 John George MacCarthy.  
**CORK (CITY).**  
 Joseph Philip Ronayne,  
 Nicholas Daniel Murphy.  
**DONEGAL COUNTY.**  
 Thomas Conolly,  
 Hon. James (Hamilton)  
 Marquess of Hamilton.  
**DOWN COUNTY.**  
 Lord Arthur Edwin Hill-  
 Trevor,  
 James Sharman Crawford.  
**NEWRY.**  
 William Whitworth.  
**DOWNPATRICK.**  
 John Mulholland.  
**DUBLIN COUNTY.**  
 Rt. hon. Thomas Edward  
 Taylor,  
 Ion Trant Hamilton.  
**DUBLIN (CITY).**  
 Sir Arthur Edward Guin-  
 ness, bt.,  
 Rt. hon. Maurice Brooks  
 (Lord Mayor of Dublin).  
**DUBLIN UNIVERSITY.**  
 Rt. hon. John Thomas Ball,  
 Hon. David Robert Plunket.

**FERMANAGH.**  
 William Humphrys Arch-  
 dall,  
 Hon. Henry Arthur Cole.  
**ENNISKILLEN.**  
 Hon. John Henry (Crich-  
 ton) Viscount Crichton.  
**GALWAY COUNTY.**  
 John Philip Nolan,  
 Mitchell Henry.  
**GALWAY (BOROUGH).**  
 George Morris,  
 Hon. William Ulick Tris-  
 tram (St. Lawrence)  
 Viscount St. Lawrence.  
**KERRY.**  
 Henry Arthur Herbert,  
 Rowland Arthur Blenner-  
 hassett.  
**TRALEE.**  
 Daniel O'Donoghue, (The  
 O'Donoghue).  
**KILDARE.**  
 Charles Henry Meldon,  
 Rt. hon. William Henry  
 Ford Cogan.  
**KILKENNY.**  
 George Leopold Bryan,  
 Patrick Martin.  
**KILKENNY (CITY).**  
 Sir John Gray, knt.  
**KING'S COUNTY.**  
 Sir Patrick O'Brien, bt.,  
 David Sherlock.  
**LEITRIM COUNTY.**  
 John Brady,  
 William Richard Ormsby-  
 Gore.  
**LIMERICK COUNTY.**  
 William Henry O'Sullivan,  
 Edmund John Synan.  
**LIMERICK (CITY).**  
 Isaac Butt,  
 Richard O'Shaughnessy.  
**LONDONDERRY COUNTY.**  
 Richard Smyth,  
 Hugh Law.  
**COLERAINE.**  
 Daniel Taylor.  
**LONDONDERRY (CITY).**  
 Charles Edward Lewis.  
**LONGFORD COUNTY.**  
 Myles O'Reilly,  
 George Errington.  
**LOUTH COUNTY.**  
 Alexander Martin Sullivan,  
 Philip Callan.  
**DUNDALK.**  
 Philip Callan.  
**DROGHEDA.**  
 William Hagarty O'Leary.  
**MAYO COUNTY.**  
 George Ekins Browne,  
 Thomas Tighe.

**MEATH COUNTY.**  
 Nicholas Ennis,  
 John Martin.  
**MONAGHAN COUNTY.**  
 John Leslie,  
 Sewallis Evelyn Shirley.  
**QUEEN'S COUNTY.**  
 Kenelm Thomas Digby,  
 Edmund Dease.  
**PORTARLINGTON.**  
 Lionel Seymour William  
 Dawson-Damer.  
**ROSCOMMON COUNTY.**  
 Charles Owen O'Connor (The  
 O'Connor Don),  
 Rt. hon. Charles French.  
**SLIGO COUNTY.**  
 Sir Robert Gore Booth, bt.,  
 Denis Maurice O'Connor.  
**TIPPERARY COUNTY.**  
 Hon. Charles William  
 White,  
 Hon. William Frederick  
 Ormonde O'Callaghan.  
**CLONMEL.**  
 Arthur Moore.  
**TYRONE COUNTY.**  
 John William Ellison Ma-  
 cartney,  
 Hon. Henry William Lowry-  
 Corry.  
**DUNGANNON.**  
 Thomas Alexander Dick-  
 son.  
**WATERFORD COUNTY.**  
 Lord Charles William De  
 la Poer Beresford,  
 Sir John Esmonde, bt.  
**DUNGARVAN.**  
 John O'Keeffe.  
**WATERFORD (CITY).**  
 Richard Power,  
 Purcell O'Gorman.  
**WESTMEATH COUNTY.**  
 Patrick James Smyth,  
 Rt. hon. Lord Robert Mon-  
 tagu.  
**ATHLONE.**  
 John James Ennis,  
 Edward Sheil.  
 (Double Return.)  
**WEXFORD COUNTY.**  
 Sir George Bowyer, bt.,  
 Keyes O'Clery.  
**WEXFORD (BOROUGH).**  
 William Archer Redmond.  
**NEW ROSS.**  
 John Dunbar.  
**WICKLOW COUNTY.**  
 William Richard O'Byrne,  
 William Wentworth Fitz-  
 william Dick.

# HANSARD'S PARLIAMENTARY DEBATES,

IN THE

*FIRST SESSION OF THE TWENTY-FIRST PARLIAMENT OF THE  
UNITED KINGDOM OF GREAT BRITAIN AND IRELAND,  
APPOINTED TO MEET 5 MARCH, 1874, IN THE THIRTY-  
SEVENTH YEAR OF THE REIGN OF*

**HER MAJESTY QUEEN VICTORIA.**

FIRST VOLUME OF THE SESSION.

**T**HE TWENTIETH PARLIAMENT of the United Kingdom—which had been prorogued successively from the 5th day of August, to Wednesday, the 22nd October; thence to Tuesday, the 16th day of December; thence to Thursday, the 5th day of February, 1874, when it was appointed to meet for the despatch of Business—was dissolved by Proclamation on the 26th January:—And Her Majesty therein declaring Her pleasure to call a new Parliament, directed Writs to be issued accordingly; which Writs were made returnable on Thursday the 5th day of March.

THE PARLIAMENT was opened by Commission.

HOUSE OF LORDS,

*Thursday, 5th March, 1874.*

The HOUSE of PEERS being met,

THE LORD CHANCELLOR acquainted the House,

“That Her Majesty, not thinking fit to be personally present here this day, has been pleased to cause a Commission to be issued under the Great Seal, in order to the opening and holding of this Parliament.”

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Then Five of the Lords Commissioners—namely, The LORD CHANCELLOR, The LORD PRESIDENT OF THE COUNCIL (The Duke of Richmond), The LORD CHAMBERLAIN OF THE HOUSEHOLD (The Marquess of Hertford), The LORD STEWARD OF THE HOUSEHOLD (The Earl Beauchamp), and The EARL OF BRADFORD (The Master of the Horse), being in their Robes, and seated on a Form placed between the Throne and the Woolsack, commanded the Yeoman Usher of the Black Rod to let the Commons know “The Lords Commissioners desire their immediate Attendance in this House, to hear the Commission read.”

Who being come;

B

THE LORD CHANCELLOR said—

“My Lords, and Gentlemen,

“HER MAJESTY, not thinking fit to be present here this day in Her Royal person, hath been pleased, in order to the opening and holding of this Parliament, to cause Letters Patent to be issued under Her Great Seal, constituting us and several other Lords therein named Her Commissioners, to do all things, in Her Majesty's name, on Her part necessary to be performed in this Parliament: This will more fully appear by the Letters Patent themselves, which must now be read.”

Then the said Letters Patent were read by the Clerk. And then

THE LORD CHANCELLOR said—

“My Lords, and Gentlemen,

“We have it in command from Her Majesty to let you know, that as soon as the Members of both Houses shall be sworn, the causes of Her Majesty's calling this Parliament will be declared to you; and it being necessary a Speaker of the House of Commons should be first chosen, it is Her Majesty's Pleasure that you, Gentlemen of the House of Commons, repair to the Place where you are to sit, and there proceed to the Choice of some proper Person to be your Speaker; and that you present such person, whom you shall so choose, here, to-morrow, at two o'clock, for Her Majesty's royal approbation.”

Then the Commons withdrew.

The House adjourned during pleasure.

House resumed.

PRAYERS.

The Lord Chancellor—Singly, in the first place, took and subscribed the Oath at the Table.

Certificate of the Election of Sixteen Representative Peers for Scotland —  
*Delivered*, and read as follows:—

The Marquess of Queensberry.  
The Marquess of Tweeddale.  
The Earl of Morton.  
The Earl of Strathmore.  
The Earl of Haddington.  
The Earl of Lauderdale.  
The Earl of Airlie.  
The Earl of Leven and Melville.  
The Earl of Selkirk.  
The Viscount Strathallan

The Lord Forbes.

The Lord Saltoun.

The Lord Sinclair.

The Lord Elphinstone.

The Lord Blantyre.

The Lord Colville of Culross.

ROLL OF THE LORDS—Garter King of Arms attending, *delivered* at the Table (in the usual Manner) a List of the Lords Temporal in the First Session of the Twenty - first Parliament of the United Kingdom: The same was ordered to lie on the Table.

The Lord Chancellor acquainted the House, That the Clerk of the Parliaments had received (by post) from the Lord Clerk Register of Scotland, the minutes of the meeting held on the 18th ultimo of the Peers of Scotland for the election of their representatives to sit and vote in the ensuing Parliament of the United Kingdom; and also, Return by the Lord Clerk Register of Scotland concerning Titles of Peerages called at the said meeting, in right of which respectively no vote had been received and counted for fifty years last past as at the date of said meeting: The same was ordered to lie on the Table.

Several Lords—took the Oath.

SAT FIRST.

The Earl of Pembroke and Montgomery, after the death of his Uncle.

The Lord Annaly, after the death of his Father.

The Earl Cadogan, after the death of his Father.

TOOK THE OATH.

The Lord Bishop of St. Asaph—The Lord Bishop of Winchester—took the Oath for the first time.

House adjourned at Five o'clock, 'till  
To-morrow, a quarter before  
Two o'clock.

HOUSE OF COMMONS,

*Thursday, 5th March, 1874.*

The House met at Two of the clock.

On which day, being the day appointed by the Royal Proclamation for the meeting of the new Parliament, *Sir Thomas Erskine May*, K.C.B., Clerk of



the House of Commons, *Reginald Palgrave*, Esquire, and *Archibald Milman*, Esquire, Clerks Assistants, and the other Clerks attending, according to their duty, *Charles Romilly*, Esquire, Clerk of the Crown in Chancery in *Great Britain*, delivered to the said *Sir Thomas Erskine May* a Book, containing a List of the Names of the Members returned to serve in Parliament.

Several of the Members repaired to their Seats.

A Message was delivered by *Colonel Clifford*, Yeoman Usher of the Black Rod:

"Gentlemen,

"The Lords, authorized by virtue of Her Majesty's Commission, desire the immediate attendance of this Honourable House in the House of Peers, to hear the Commission read."

Accordingly, the House went up to the House of Peers;—and a Commission having been read for opening and holding the Parliament, the Lords Commissioners directed the House to proceed to the Election of a Speaker, and present him To-morrow at Two of the clock in the House of Peers, for the Royal Approbation."

And the House being returned ;

#### ELECTION OF A SPEAKER.

MR. HENRY CHAPLIN, addressing himself to the Clerk (who, standing up, pointed to him, and then sat down), said:—*Sir Erskine May*,—It now becomes the business of the House of Commons, in accordance with the gracious communication which we have just received from the Crown, to proceed to perform its first, and certainly not its least important duty, by the election of a Speaker to occupy the Chair, and although in making the proposal which I am now about to submit to the consideration of the House I am fully conscious that there must be many hon. Members who, from their greater and more lengthened knowledge and experience of the customs, practice, and traditions of this House, are more entitled to undertake this task than I am, yet at least I can say this much—that no one could experience more unfeigned satisfaction than myself in doing so on this

particular occasion; because the name which I am now about to place before the House of Commons is that of my right hon. Friend the Member for Cambridge-shire. It has, I believe, hitherto been deemed to be the accepted privilege of the majority in a newly elected House of Commons to elect its Speaker from among their ranks, and I apprehend that under ordinary circumstances that is a wise and a salutary rule, and one which, generally speaking, it would probably be convenient and fitting to observe. But on this occasion I myself am satisfied—and this is an opinion in which I think the majority of the House will unanimously concur—that even if there were no precedent for such a course we should do well to make one in favour of the Gentleman to whom I have referred. There are various considerations which, I think, must lead to that conclusion on our part. If we consider for a moment the position which is occupied by the House of Commons in these days, there is one thing in particular which, I think, cannot fail to impress itself upon the minds of its Members, and that is the enormous mass of business daily accumulating, ever increasing, and likely to increase still more in the future, which now is brought before them, and with which they have to deal; and we are all aware—or, at all events, those among us who do not sit within these walls for the first time to-day—that it is upon the wise and judicious exercise of the high functions and powers committed to the Speaker that the effectual and satisfactory progress of the Business of this House in a great measure depends. That is one consideration out of many which suggests itself to my mind; and when we see, as we do distinctly in this case, our way to attaining so desirable an object, to put aside all party feelings in the matter is then most undoubtedly right. *Sir Erskine May*, I am speaking in your presence and in that of Gentlemen, many of whom were Members of the last House of Commons, and some of whom, no doubt, have witnessed the rise and fall of many a Parliament in succession, and to them it would be sheer presumption on my part to offer any further observations upon this point. But there are also some here to-day—and I believe by no means a few, to whom, with due respect, I may presume to offer some suggestions as to

the qualifications which we expect to find and which we seek in a Speaker. His task is not a light one. His position is not always easy. He is the guardian of our rights, and to him is entrusted the care of our privileges. We look to him by precept and example to maintain due order and decorum in the conduct of the general Business of this House. We look to him to order and to settle all disputed questions as they may arise; and there will be at all times—on occasions other than in debate—some among us who may find it necessary to seek his counsel and advice, which I am sure will in this case invariably be given with courtesy and wisdom. Members, therefore, will perceive how many qualifications are expected in a Speaker—firmness and impartiality, an accurate knowledge of the Business of this House, natural courtesy, and the highest sense of honour; experience teaches us most undoubtedly that Mr. Brand possesses one and all of these qualifications in a remarkable and in an eminent degree; and we are satisfied that under him the House of Commons will maintain in the future that great reputation which it has enjoyed for ages in the past. Sir, the Privileges of this House are many, and they are undoubted—ancient is its history, and great are its traditions. The names of noble and distinguished men have been enrolled for generations upon its list of Speakers. Yet confident am I of one thing—that by re-electing Mr. Brand, we shall be placing as our Speaker in the Chair one so greatly gifted with all the valuable qualities to which I have referred, and who will compare not unfavourably even with the most distinguished of those who have gone before him—one who is distinguished above all by that unerring instinct which takes the highest and truest sense of honour as its best and surest guide, and of whom I will venture to predict that he will bring even fresh lustre to the office which attaches to that Chair, in a manner becoming the first Commoner in England. I now beg to move “That the Right honourable Henry Brand do take the Chair of this House as Speaker.”

THE HONOURABLE LORD GEORGE CAVENDISH: I rise to second the nomination of the right hon. Henry Brand as Speaker of this House; and in doing so I feel that I possess no

qualification for the duty I have undertaken, except one which, in the minds of younger Members, may be deemed rather a doubtful one—that of having the misfortune to be one of the five Members who have sat for the longest time in this House. I believe this is the eleventh Parliament in which I have sat, but I hope that on this occasion I shall not be accused of obtruding the garrulousness of old age upon my hearers, if I take advantage of the honour conferred upon me to make a few remarks. I may be permitted to observe that although I wish it were in better hands, yet no more grateful task could have been allotted to me than that of seconding the nomination of my right hon. Friend to the Chair, for I have served with him in this House for many years, and I have long been bound to him by the strictest ties of intimacy, friendship, and esteem. But, Sir, I think there are peculiar circumstances which render this occasion a very interesting one, because I believe that on no former occasion has the House, through one cause or another, from each side, lost so many of those Members who formerly took an active part in discussions regarding the Rules and Business of this House, and who were so conversant with its proceedings and Privileges. It would be invidious to allude to those Members individually, but still there are three who were so conspicuous among them that I hope I may name them without trespassing on the limits of good taste. First, I may refer to the gracious presence we have lost in the person of Sir George Grey, whom we shall long miss in this House, and who was always regarded as one of its greatest authorities. Then, on the other side of the House, we shall miss Colonel Wilson-Patten, who has been promoted to another—shall I say to a better—place? There was no man more assiduous than he in attending to the Private Business of this House, nor one more ready to give us the benefit of his acquaintance with that Business whenever he was called upon to do so. Thirdly, through the fortune of war—although, I hope, only for a time—we have lost Mr. Bouverie, than whom, I suppose, there was no hon. Member who had given a closer and more accurate attention to the Rules, Privileges, and Proceedings of the House. But why do I name these Gentlemen? Because it is

*Mr. Henry Chaplin*

under these circumstances that I think it is the more incumbent upon us to select a tried man for our Speaker—one who has given us proof of his intimate acquaintance with our Rules and Proceedings, and who is already known for his services in the Chair. Were it not that our debates were ruled by his almost imperceptible sway—were not our deliberations guided by his moderation—those debates would soon fall into disorder and our deliberations into disrepute. I recollect that nearly 40 years ago I happened to stray into the precincts of “another place,” where an animated debate was going on in an august assemblage, and just as I entered one Member of that august assemblage had managed to irritate another Member to that degree that the latter rose and called upon the Clerk to read a particular Order of the House—the Order was read, and it directed that no Member of that august assemblage should use “sharp and taxing” language to another Member. That left a great impression upon my mind, and I have never lost the memory of it since. Its lesson, I think, can easily be apprehended. Although we are an elected body, and may, perhaps, be said to be of rougher workmanship and of coarser grain than that august assemblage, and therefore amenable to other influences, yet, Sir Erskine May, I do not recollect that you or any of your predecessors were ever called upon to read to us a Rule of this House calling its Members to order. I think that our exemption from that necessity is due to the fact that amid the perturbations which are incidental to an elected body, where the various opinions of our constituents seem sometimes sharply represented, our successive Speakers have been able to maintain the dignity of this House and to allay any rising tempest. I am sure that the Members of this House will perceive that even the slightest contraction of the Speaker’s brow, or the ruffle of his gown, indicating his intention to rise, will be sufficient to quell a Member who may be out of Order, and to disperse even the semblance of tumult. Sir, in the presence of my right hon. Friend it would be distasteful to me, as it would be to him, to enter fully into those qualifications which he possesses for the office, and it would be presumptuous in me, in the presence of so many hon. Members who know him

and have witnessed his conduct in the Chair, if I were to do so. Suffice it to say—and it is no derogation of the merits of many Speakers who have preceded him—that at no time has the dignity of the Chair been more uniformly maintained, at no time have the Privileges of this House been vindicated with greater spirit, or the Rules and Proceedings of the House been laid before us in readier and more correct decisions—at no time has more kindly courtesy been displayed to every Member of the House, than during the time the Chair was occupied by my right hon. Friend. In concluding these remarks, permit me to say it has given me very great satisfaction to see from what quarter this proposition has arisen, and I therefore most cordially support it. I think it is an earnest and good augury for the moderation and temper with which our debates will be carried on, that no political bias, no party spirit, has been allowed to interfere in the selection of the Member whom we all believe to be the best man for the distinguished position of Speaker of this House. And I am quite sure that if the House shall, as I hope it will, unanimously concur in the Resolution which has been placed before it, we shall not only see the Chair filled with dignity, but we shall insure to the right hon. Gentleman that he will meet with the general support and concurrence of every hon. Member of this House. I beg now to second the nomination of the right hon. Henry Brand to the Chair of this House.

The House then unanimously calling Mr. BRAND to the Chair—

MR. BRAND stood up in his place and said: Two years ago this House did me the high honour to call me to the Chair. At that time I was much impressed with the gravity of the charge, and I doubted whether I was sufficient for such things. Further reflection and some experience of service in the Chair have deepened my sense of the grave responsibility attaching to that dignified position, and I should shrink from the undertaking, unless I was assured of that support which this House, in its generosity, uniformly extends to its Speaker. The support of this House is the only sure foundation of the moral authority of the Speaker. Without that support, he is powerless; but with it

his weakness becomes strength. Should this House think fit upon this occasion to call me for the second time to the Chair, I shall be specially honoured, because my nomination is now commended from both sides of the House—thus, if I may so speak, doubling my obligation to the House. I desire to speak with sincere respect of party attachments, on whatever side of the House they may be formed, for they are essential to the healthy action of Parliamentary government; but whoever may be the man chosen by this House to preside over its deliberations, he is bound, as an honourable man, to keep party attachment in abeyance. I am very sensible of my short-comings in many ways. I am well aware also that there are many hon. Members of this House more fit than I am to adorn that Chair; but I yield to no man in a firm determination to discharge the duties of the Chair in a spirit of impartiality. I know, Sir Erskine May, that this House, faithful to its traditions, will sustain the Speaker in vindicating our Rights and Privileges, in maintaining our Rules and Orders, and in securing freedom of debate according to our established usages; and, relying upon that support, I shall humbly place such services as I can render at the disposal of this honourable House.

The House then again unanimously calling Mr. HENRY BRAND to the Chair, he was taken out of his place by the said Mr. CHAPLIN, and the said Lord GEORGE CAVENDISH, and conducted to the Chair.

Then MR. SPEAKER ELECT, standing on the upper step, said: I beg to tender once more my acknowledgments to the House for the honour it has conferred upon me. It is the greatest honour that can be conferred upon any Member of the House, and it will be my earnest endeavour to deserve the confidence thus reposed in me:—and thereupon sat down in the Chair.

And then the Mace (which before lay under the Table) was laid upon the Table. Then—

MAJOR GENERAL SIR PERCY HERBERT said: In the unavoidable absence of the Leader of this House and of others upon whom this duty would naturally fall, because of constitutional rules with which we are all acquainted, it has de-

volved upon me, unworthy as I am, to endeavour, in the name of the House, to offer to you, Sir, some few words of congratulation upon the high honour to which you have attained. Sir, it must be peculiarly gratifying to you that, unanimous as those elections generally are, in your case the selection commands an unanimity of no ordinary character. Sir, it is true that the demands made on the Member who holds the high position of Speaker of this House are of an exceptional character. It is required of him that he should possess dignity, impartiality, firmness, and decision; and, Sir, those of us who have served in the House before under your auspices will certainly all of them unanimously concur with me in saying that you possess those qualities in no small degree. It is unnecessary for me to detain the House with many remarks upon this subject. Long may you live to wear your honours and preside over our proceedings. Certainly, if your life is spared, there can be no doubt among those who have witnessed your conduct hitherto that you will attain that distinction which was prophesied of you by my hon. Friend behind me, who moved your election. I will only, in conclusion, say that, from long entertained feelings of friendship, it is a matter of great gratification to me that, unworthy as I am, I should be selected on this occasion, to pay you this honour in the name of the House.

MR. GLADSTONE: Sir, the various parts connected with this important transaction have been performed with excellent ability, and with a cordiality which, I must say, I have never known exceeded. Under these circumstances, perhaps it may appear superfluous and obtrusive on my part to rise, but I do so to offer you in a few words my hearty congratulations; and I may find an apology for thus intruding myself upon the House, in the fact that at no very distant period I was responsible in some degree for the original selection and proposal of your name as Speaker. I therefore, Sir, avail myself of this opportunity to state that which I deeply feel—not only my great satisfaction at the manner in which everything said relative to yourself personally has been received on all sides of the House, but likewise at the unanimity with which the House has on this occasion affirmed and acted upon the usage of what I may call your continuity in

*Mr. Brand*



the Chair. That continuity and that disposition of the majority of the House to waive the power which they undoubtedly possess to select a candidate for the Chair from among themselves is, in my judgment, a matter of high importance not only to the person who, having been once lifted up to this peculiar dignity among us, ought not, even out of mere regard to ourselves, by the mere record of votes to be lightly deposed from it, but also because—unless I much mistake the matter—this usage of continuity is an important element in the weight and authority of the Chair. The remarkable precedent of 1841, for a variety of circumstances, to which it is not necessary for me to refer in detail, was one that I hope will always have its place in the recollection of the House—one that I trust will be followed in every case except where strong and valid grounds of objection to the conduct of the former Speaker can be shown. Sir, it is idle for me to say that no such ground can be supposed to exist in the present case. I will not, Sir, trust myself to speak of the personal feelings of esteem—of more than esteem—with which I presume to regard you, and for this reason, at any rate, among others—that I well know that those feelings are shared with me by all who have the honour and the pleasure of knowing you, exactly according to the measure of their intimacy with you. I will say one word as to the charge which you have been called upon to undertake. It has often been my lot to endeavour to explain to foreigners of political eminence the nature of the Speakership of this House, and I have invariably found that a description of the position of the Speaker, with his complete, effective, and immediate control over the proceedings of the Members of the House—subordinate only to the collective authority of the House—has called forth the most noted attention, and I may say admiration, of such foreigners. The Speakership is an institution less important, perhaps, but not less characteristic, not less truly national in its character, than is the House of Commons itself, over which the Speaker has the honour to preside. Sir, we expect much from our Speakers. We expect from them not only such an assemblage of qualities as may be ordinarily and frequently found in many excellent and able men among us, but we expect from

them a combination of qualities which are rarely united in the same person. We look to them for extensive and well-digested knowledge, for a high and delicate sense of honour, and for, at all times and in all cases, an unvarying and unswerving impartiality, and we look also for great dignity of manner, for patience and forbearance in an eminent degree, and in combination with these we look for prudence in coming to, and firmness in carrying out the decisions necessary to maintain the good order of the House. There is no fear, Sir, that any of those requisites will ever be wanting in you, nor is there any danger of their being unduly put to the proof. Sir, I trust and believe it will never be forgotten—indeed, after the manifestation of to-day, I have increased confidence it never can be forgotten—how heavy is the charge imposed upon you. You have yourself, with a becoming modesty, and not going a line beyond the strict truth, to-day stated that nothing but the cordial support of the House could enable you properly to perform your duties; and I am firmly convinced that, assembled as we are here to-day—some of us having grown old in the service of our country; others who are only entering upon that service, together with men in all the intermediate stages of a public life, the old and experienced in Parliament, the young and inexperienced, those who sit on this side of the House and those who sit opposite—all, I am sure, are animated by but one desire, and that is to vie with each other in maintaining your authority and strengthening your hands for the performance of those great and important duties to which you have now been unanimously called by this House. The hon. Member then moved that the House do now adjourn.

*Motion agreed to.*

House adjourned at Three o'clock,  
'till To-morrow.

## HOUSE OF LORDS,

*Friday, 6th March, 1874.*

The House met;—And a Royal Commission having been read, Four of the Lords Commissioners, namely — The LORD CHANCELLOR, The LORD PRESIDENT OF THE COUNCIL (The Duke of Richmond), The LORD STEWARD OF THE HOUSEHOLD (The Earl Beauchamp), and The LORD SKELMERSDALE (Captain of the Yeomen of the Guard), being in their Robes, and seated on a Form between the Throne and the Woolsack, commanded the Yeoman Usher of the Black Rod to let the Commons know “The Lords Commissioners desire their immediate attendance in this House.”

And the Commons being at the Bar;

SPEAKER OF THE HOUSE OF COMMONS,  
PRESENTED AND APPROVED.

THE RIGHT HONOURABLE HENRY BOUVERIE WILLIAM BRAND, Speaker Elect, said—

“MY LORDS,

“I have to acquaint your Lordships, that in obedience to Her Majesty’s commands, the Commons have, according to their undoubted rights and privileges, proceeded to the election of a Speaker, and that their choice has fallen upon myself. I now present myself at your Lordships Bar, and submit myself with all humility to Her Majesty’s gracious approbation.”

Then THE LORD CHANCELLOR said,

“MR. BRAND,

“We are commanded to assure you that Her Majesty is so fully sensible of your zeal for the public service, and of your ample sufficiency to execute the arduous duties which Her faithful Commons have selected you to discharge, that She does most readily approve and confirm you as their Speaker.”

Then MR. SPEAKER said—

“MY LORDS,

“I submit myself with all humility and gratitude to Her Majesty’s gracious commands, and it is now my duty in the name and on behalf of the Commons of the United Kingdom to lay claim by

humble petition to Her Majesty to all their ancient and undoubted rights and privileges; particularly to freedom of speech in debate; to freedom from arrest of their persons and servants; to free access to Her Majesty when occasion shall require; and that the most favourable construction should be put upon all their proceedings; and with regard to myself I pray that if any error should be committed it may be imputed to myself, and not to Her Majesty’s loyal Commons.”

Then THE LORD CHANCELLOR said,

“MR. SPEAKER,

“We have it further in command to inform you, that Her Majesty does most readily confirm all the rights and privileges which have ever been granted to or conferred upon the Commons by any of Her Royal Predecessors.

With respect to yourself, Sir, although Her Majesty is sensible that you stand in no need of such assurance, Her Majesty will ever put the most favourable construction upon your words and actions.”

Then the Commons withdrew.

House adjourned during pleasure.

House resumed.

His Royal Highness the Duke of Cambridge—Singly took the Oath.

His Royal Highness the Prince of Wales—Singly took the Oath.

Several Lords—Took the Oath.

## NEW PEER.

The Right Honourable Sir Thomas Francis Fremantle, Baronet, having been created Baron Cottesloe—was (in the usual manner) introduced.

House adjourned at Five o’clock,  
to Monday next, Two o’clock.

## HOUSE OF COMMONS,

*Friday, 6th March, 1874.*

The House met at Two of the clock.

The House being met, and Mr. SPEAKER ELECT having taken the Chair, a Message was delivered by the Yeoman Usher of the Black Rod:



" MR. SPEAKER,

" The Lords authorized by virtue of Her Majesty's Commission, desire the immediate attendance of this Honourable House in the House of Peers."

Accordingly, Mr. Speaker Elect, with the House, went up to the House of Peers, where he was presented to the said Lords Commissioners for Her Majesty's approbation.

Then the LORD CHANCELLOR, one of the said Lords Commissioners, signified Her Majesty's approbation of Mr. Speaker Elect.

The House being returned ;—

MR. SPEAKER: I have the pleasure to acquaint the House that I have been to the House of Peers, where Her Majesty, by Commission, has been pleased to approve of the choice which this House has made of me as their Speaker. I have, by petition to Her Majesty, laid claim, on behalf of this House, to all the undoubted Rights and Privileges of the House, more particularly for freedom of speech in debate, for freedom from arrest for our persons and servants, and above all for freedom of access to Her Majesty whenever occasion may require, and also that the most favourable construction may be placed on our proceedings. I desire now for myself to renew my humble acknowledgments to the House for the honour it has conferred on me by placing me for the second time in the Chair. It will be my constant endeavour to facilitate the order and conduct of Public Business in this House, and for that purpose I wish to place my services at the disposal of this House. It is now my duty to remind hon. Members that the first business we have to discharge is to take and subscribe the oath prescribed to us by law. I now call upon the Clerk to administer the oath to myself.

And thereupon MR. SPEAKER, first alone, standing upon the upper step of the Chair, took and subscribed the Oath; and after him several other Members took and subscribed the Oath; and several Members, being of the People called Quakers, made and subscribed the Affirmation required by Law.

House adjourned at a quarter after Five o'clock, till Two o'clock To-morrow.

## HOUSE OF COMMONS,

*Saturday, 7th March, 1874.*

The House met at Two of the clock.

PRAYERS.

Several other Members took and subscribed the Oath.

House adjourned at Four o'clock, till Two o'clock on Monday.

## HOUSE OF LORDS,

*Monday, 9th March, 1874.*

The Commons, who were sent for, being at the Bar, the Lord Chancellor delivered the Speech of the Lords Commissioners to both Houses of Parliament, signifying Her Majesty's pleasure that an opportunity be now given to issue writs for supplying the vacancies occasioned in the House of Commons owing to the acceptance of office from the Crown by Members of that House: Then the Commons withdrew.

House adjourned during pleasure.

House resumed.

Several Lords—Took the Oath.

SAT FIRST.

The Lord Wolverton—after the death of his Father.

The Earl of Onslow—after the death of his Great Uncle.

House adjourned at a quarter before Four o'clock, 'till To-morrow, a quarter before Three o'clock.

## HOUSE OF COMMONS,

*Monday, 9th March, 1874.*

The House met at Two of the clock.

Message to attend the Lords Commissioners ;

The House went ;—and being returned ;—

MR. SPEAKER *reported*, That the Lords Commissioners under the Great Seal for opening and holding this Parliament, had made a Communication to both Houses,

which Mr. Speaker read to the House, as follows:—

“My Lords, and Gentlemen,

“We have it further in command from Her Majesty to acquaint you that, since the time when Her Majesty deemed it right to call you together, for the consideration of many grave and important matters, several vacancies have occurred in the House of Commons owing to the acceptance of Office from the Crown by Members of that House.

“It is therefore Her Majesty’s pleasure that an opportunity may now be given to issue Writs for supplying the vacancies so occasioned, and that, after a suitable Recess, you may proceed to the consideration of such matters as will then be laid before you.”

Several other Members took and subscribed the Oath.

#### ADJOURNMENT OF THE HOUSE.

MR. HART DYKE: I rise, Sir, to move that this House, at its rising, do adjourn till Thursday next at three o’clock. I think it is due to hon. Members that I should state the cause for the adjournment which I now propose. In the case of several Members of the Government who have accepted offices under the Crown, the 21 days necessary to intervene under the Act have not elapsed since they were last elected. I think that hon. Members on both sides of the House will see the desirability that the election of the responsible Ministers of the Crown should take place as soon as possible. And it is for that reason that I ask the House to adjourn to Thursday next. I may state also that in all probability the House will meet for the transaction of Public Business on Thursday week next (the 19th inst.)

*Motion agreed to.*

House at rising to adjourn till *Thursday* at Three of the clock.

#### NEW WRITS.

*For—*

Devon (Northern Division), *v.* Right Hon. Sir Stafford Henry Northcote, baronet, Chancellor of the Exchequer.

Northampton (Northern Division), *v.* Right Hon. George Ward Hunt, First Commissioner of the Admiralty.

Oxford University, *v.* Right Hon. Gathorne Hardy, Secretary of State.

Gloucester (Eastern Division), *v.* Right Hon. Sir Michael Edward Hicks Beach, baronet, Chief Secretary to the Lord Lieutenant of Ireland.

Stafford (Northern Division), *v.* Right Hon. Sir Charles Bowyer Adderley, President of the Board of Trade.

Chichester, *v.* Lord Henry Lennox, First Commissioner of Works and Buildings.

Southampton (Northern Division), *v.* Right Hon. George Sclater-Booth, President of the Local Government Board.

Liverpool, *v.* Viscount Sandon, Vice President of the Committee of Council for Education.

Dublin County, *v.* Right Hon. Thomas Edward Taylor, Chancellor of the Duchy of Lancaster.

Shoreham, *v.* Right Hon. Stephen Cave, Judge Advocate General.

Huntingdon, *v.* Sir John Burgess Karslake, knight, Attorney General.

Surrey (Middle Division), *v.* Sir Richard Baggallay, knight, Solicitor General.

Trinity College (Dublin), *v.* Right Hon. John Thomas Ball, Attorney General for Ireland.

Glasgow and Aberdeen Universities, *v.* Edward Strathearn Gordon, esquire, Lord Advocate of Scotland.

Devon (Southern Division), *v.* Sir Massey Lopes, baronet, Commissioner of the Admiralty.

Portsmouth, *v.* Sir James Dalrymple Horn Elphinstone, baronet, Commissioner of the Treasury.

Lincoln (Northern Division), *v.* Rowland Winn, esquire, Commissioner of the Treasury.

Eye, *v.* Viscount Barrington, Vice Chamberlain of the Household.

Northumberland (Northern Division), *v.* Earl Percy, Treasurer of the Household.

Inverness-shire, *v.* Donald Cameron, esquire, of Lochiel, Groom in Waiting.

Monmouth County, *v.* Lord Henry Somerset, Comptroller of the Household.

Oxford City, *v.* Right Hon. Edward Cardwell, now Viscount Cardwell.

#### PRIVILEGES.

*Ordered,* That a Committee of Privileges be appointed.

House adjourned at a quarter after Three o’clock, till Three o’clock on Thursday.

## HOUSE OF LORDS,

*Tuesday, 10th March, 1874.*

Several Lords—Took the Oath.

## NEW PEERS.

The Right Honourable Sir John Somerset Pakington, Baronet, G.C.B., having been created Baron Hampton of Hampton Lovett and of Westwood in the county of Worcester—was (in the usual manner) introduced.

The Right Honourable Edward Cardwell having been created Viscount Cardwell of Ellerbeck in the county palatine of Lancaster—was (in the usual manner) introduced.

The Right Honourable Henry Austin Bruce having been created Baron Aberdare of Duffryn in the county of Glamorgan — was (in the usual manner) introduced.

George Henry Charles Byng, Esquire (commonly called Viscount Enfield), having been summoned by Writ to the House of Lords in his father's Barony of Strafford of Harmondsworth in the county of Middlesex—was (in the usual manner) introduced.

The Right Honourable Chichester Samuel Parkinson Fortescue having been created Baron Carlingford of Carlingford in the county of Louth—was (in the usual manner) introduced.

## SAT FIRST.

The Lord De Ros—after the death of his Father.

House adjourned at Five o'clock, to  
Thursday, the 19th instant,  
a quarter before  
Two o'clock.

## HOUSE OF COMMONS,

*Thursday, 12th March, 1874.*

The House met at Three of the clock.

Several other Members took and subscribed the Oath.

House at rising to adjourn till *Thursday* next.

## NEW WRITS.

For—

Buckinghamshire, *v.* Right Hon. Benjamin Disraeli, First Commissioner of the Treasury.

Lancaster (South Western Division), *v.* Right Hon. Richard Assheton Cross, Secretary of State.

Leicester (Northern Division), *v.* Right Hon. Lord John Manners, Postmaster General.

Suffolk (Eastern Division), *v.* Viscount Mahon, Commissioner of the Treasury.

Galway, *v.* Viscount St. Lawrence, now Earl of Howth.

House adjourned at Four o'clock,  
till Thursday next.

## HOUSE OF LORDS,

*Thursday, 19th March, 1874.*

MINUTES.]—PUBLIC BILL—*First Reading*—  
Magdalen Hall Property \* (3).

## THE QUEEN'S SPEECH.

Five of the Lords Commissioners, namely—The LORD CHANCELLOR, The LORD CHAMBERLAIN OF THE HOUSEHOLD (The Marquess of Hertford), The LORD STEWARD OF THE HOUSEHOLD (The Earl Beauchamp), The EARL OF BRADFORD (The Master of the Horse), and The LORD SKELMERSDALE, being in their Robes, and seated on a Form between the Throne and the Woolsack, commanded the Yeoman Usher of the Black Rod to let the Commons know “The Lords Commissioners desire their immediate Attendance in this House.”

Who being come, with their Speaker—

The LORD CHANCELLOR *delivered* HER MAJESTY'S Speech to both Houses of Parliament, as follows :—

“ *My Lords, and Gentlemen,*

“ I RECUR to your advice at the earliest period permitted by the arrangements consequent on the retirement of the late Administration.

“ My relations with all Foreign Powers continue to be most friendly. I shall not fail to exercise the influence

arising from these cordial relations for the maintenance of European peace, and the faithful observance of international obligations.

"The marriage of my son, the Duke of Edinburgh, with the Grand Duchess Marie Alexandrowna of Russia, is at once a source of happiness to myself and a pledge of friendship between two great Empires.

"The war with the King of Ashantee has terminated in the capture and destruction of his capital, and in negotiations which, I trust, may lead to a more satisfactory condition of affairs than has hitherto prevailed on the West Coast of Africa.

"The courage, discipline, and endurance displayed by my forces, both of the land and sea service, together with the energy and skill evinced in the conduct of the expedition, have brilliantly maintained, under the most trying circumstances, the traditionary reputation of the British arms.

"I deeply regret that the drought of last summer has affected the most populous provinces of my Indian Empire, and has produced extreme scarcity, in some parts amounting to actual famine, over an area inhabited by many millions. I have directed the Governor-General of India to spare no cost in striving to mitigate this terrible calamity."

*"Gentlemen of the House of Commons,*

"THE Estimates for the expenditure of the coming financial year will be forthwith submitted to you."

*"My Lords, and Gentlemen,*

"THE delay and expense attending the transfer of land in England have

long been felt to be a reproach to our system of law, and a serious obstacle to dealings in real property. This subject has, in former Sessions, occupied the attention of Parliament, and I trust that the measures which will now be submitted for your consideration will be found calculated to remove much of the evil of which complaint has been made.

"You will probably be of opinion that the re-arrangement of the Judicature, and the blending of the administration of law and equity, which were effected for England by the enactment of last Session, ought, on the same principles, to be extended to Ireland, and you will be asked to devote some part of your time to the accomplishment of this object.

"The greater part of these changes would be inapplicable to the Tribunals of Scotland; but you will be invited, as to that part of my Kingdom, to consider the most satisfactory mode of bringing the procedure upon appeals into harmony with recent legislation, and, among other measures relating to her special interests, a Bill for amending the Law relating to Land Rights and for facilitating the Transfer of Land will be laid before you.

"Serious differences have arisen, and remonstrances been made by large classes of the community, as to the working of the recent Act of Parliament affecting the relationship of Master and Servant, of the Act of 1871, which deals with offences connected with trade, and of the law of conspiracy, more especially as connected with these offences. On these subjects I am desirous that, before attempting any fresh legislation, you should be in possession of all material

facts, and of the precise questions in controversy, and for this purpose I have issued a Royal Commission to inquire into the state and working of the present law with a view to its early amendment, if it should be found necessary.

"A Bill will be introduced dealing with such parts of the Acts regulating the sale of intoxicating liquors as have given rise to complaints which appear to deserve the interference of Parliament.

"Your attention will also be directed to the laws affecting Friendly and Provident Societies.

"All these matters will require your grave consideration, and I pray that the Almighty may guide your deliberations for the welfare of my realm."

Then the Commons withdrew.

Several Lords—took the Oath.

His Royal Highness the Duke of Edinburgh—singly took the Oath.

#### SAT FIRST.

The Lord de Clifford, after the death of his Great Uncle.

The Earl of Hardwicke, after the death of his Father.

#### NEW PEERS.

The Earl of Breadalbane, in that part of the United Kingdom called Scotland, having been created Baron Breadalbane of Kenmore in the county of Perth—was (in the usual manner) introduced.

The Right Honourable William Mon-sell having been created Baron Emly of Jervoe in the county of Limerick—was (in the usual manner) introduced.

The Right Honourable John Wilson Patten having been created Baron Win-marleigh of Winmarleigh in the county palatine of Lancaster—was (in the usual manner) introduced.

#### SELECT VESTRIES.

Bill, *pro formâ*, read 1<sup>a</sup>.

The QUEEN'S SPEECH reported by The LORD CHANCELLOR.

#### ADDRESS IN ANSWER TO HER MAJESTY'S MOST GRACIOUS SPEECH.

THE MARQUESS OF LOTHIAN: My Lords—In rising to move, "That an humble Address be presented to Her Majesty in answer to Her Majesty's gracious Speech from the Throne," I have to ask for that indulgence which your Lordships have always hitherto afforded to those who address you for the first time. My Lords, I feel that I have undertaken a grave responsibility in venturing to address your Lordships at all upon this occasion. Since your Lordships last met for the transaction of Public Business, a great political change has taken place. An appeal has been made by the late Government to the country, and the answer to that appeal has been such that the administration of the affairs of the nation has been intrusted to those with whom, on political subjects, I generally agree. I do not, however, think that this is an occasion for me to enter upon that change, or the circumstances which have led to it, or to discuss the principles which may animate Her Majesty's present Government. Her Majesty's Speech from the Throne is addressed to every section of your Lordships' House, and I venture to ask your unanimous approval of my Motion for an humble Address in answer to that Speech.

My Lords, I am sure that it is with great satisfaction that you will notice the prominent position which is given to the announcement that Her Majesty's relations with all Foreign Powers continue to be most friendly:—for nothing can stand so much in the way of satisfactory domestic legislation as a feeling of uneasiness with regard to our foreign relations; and I attribute, on the other hand, to the present happy condition of our relations with other Powers the high place of respect and esteem which this country holds in the family of nations. My Lords, scarcely anything could be more lamentable than that any misunderstanding should arise between this country and a Foreign Power with which we ought to be in friendly alliance; and, therefore, the first assurance of Her Majesty's Speech will, I am sure, be received by your Lordships with very



great pleasure. In the second paragraph, Her Majesty seems to me to announce a definite foreign policy which must commend itself to the judgment of all your Lordships. It appears to me that while Her Majesty is determined to fulfil in their integrity all the duties and responsibilities which belong to a great European Power, she will adopt a policy of non-interference, and without entering into any entangling engagements, she will faithfully act up to any international obligations into which she may already have entered, and that, while respecting the right of others, Her Majesty will take care that the rights of this country are also respected.

My Lords, Her Majesty next graciously announces to us the marriage of His Royal Highness the Duke of Edinburgh to the Grand Duchess Marie Alexandrowna, a daughter of the Emperor of Russia. This announcement will be a matter of personal congratulation to many of your Lordships; for His Royal Highness is a Member of this House, and no matter affecting the interests of the Royal Family can ever be a matter of indifference to your Lordships or to the country. The most cordial welcome which was given to the Members of our Royal Family who went to St. Petersburg to be present at the nuptials of His Royal Highness with the Grand Duchess, and the enthusiastic reception afforded to Her Majesty and the Duke and Duchess of Edinburgh when they entered London on Thursday last, is a proof of the attachment of the people of this country to the monarchical principle, and shows the affectionate esteem in which Her Majesty and Her Family are regarded both in this country and abroad; and your Lordships, knowing the loyal affection of the people of this country, must feel gratified that the Emperor of Russia has confided the interests of his only daughter to an English Prince, and her future domestic happiness to the security of an English home. Her Majesty refers in Her Speech to the political aspect of this alliance. The days, my Lords, have gone by when the destinies of two great nations can be directly affected by the union of their Royal Houses, but the indirect effects of such alliances may, perhaps, be greater at the present day than they have been at any former period. It is with nations as with in-

dividuals. Former disputes between nations, as between individuals, frequently arose from ignorance and misunderstanding of the wants, wishes, and aspirations of each other, and these, as opportunity arose, were developed into animosity and hostility. This alliance cannot but create a greater interest between England and Russia, and from that interest will follow that mutual knowledge and appreciation which is the best guarantee of true and lasting peace.

My Lords, although the late period at which the present Session commences is attended with some obvious disadvantages, yet there is one advantage that may be cited in its favour—namely, that in the Speech from the Throne Her Majesty is able to announce the conclusion of the war with the King of Ashantee. I will not attempt to discuss the causes of that war, but I cannot refrain from calling it an unhappy war—unhappy in the first place as regards the losses which Her Majesty's forces have sustained, and the lives of young and valuable men it has cost; and unhappy in the next place in the legacy of embarrassment and difficulty which has been left to the present Government. I think, however, I ought to congratulate your Lordships upon the comparatively little loss with which the campaign has been brought to a successful conclusion. I need not refer to the perils arising from the nature of the country and the climate, but I will remind your Lordships of the anxiety which prevailed in this country during the few days before we received intelligence of the fall of Coomassie. This was "a little war"—little in its results—small when we consider the number of troops engaged; but there never has been a war in which the high qualities of the British troops have been more fully tried or more signally displayed. But the triumphant conclusion of this "little war" is a great relief, and all branches of the two services which have been engaged in it are sure of a warm welcome on their arrival home again. The noble Earl the Foreign Secretary (the Earl of Derby), when speaking some time ago on the subject of the Ashantee War, said it would be chiefly "a war of engineers and doctors." No doubt there was much truth in that statement; but it had also proved to be a war of marching, for



much of its success depended upon the celerity of the movements of our troops. All our officers and all our men, both of land forces and seamen and marines engaged in the war, deserve our thanks, and without doubt on their return they will receive the thanks they have so nobly earned. I will not enter into the policy which should guide us in our future relations with the West Coast of Africa. I have already observed that it must be a question of difficulty and embarrassment to Her Majesty's Government, and one which will require their most anxious consideration. It will, at any rate, be one satisfactory result, if the heavy blow which has been inflicted on the Ashantee kingdom by Sir Garnet Wolseley, in the taking of Coomassie, should lead to the destruction of the ghastly foundations of blood and superstition on which this rule was founded, and be the means of inducing in their stead a more humane and civilized system of government.

My Lords, in regard to the Famine in India it is to be regretted, that Her Majesty has been compelled to announce to us that it has been so severe and so wide-spread—and I fear that it is extending rather than diminishing—and that Her Majesty is unable to hold out to us any prospect of its immediate alleviation. The announcement made by Her Majesty must, however, cause some satisfaction—that Her Majesty has instructed the Governor General to spare no cost in endeavouring to mitigate this terrible calamity. Your Lordships are aware that in the task of relieving the people of India we are obstructed by two great difficulties—from the difficulty of obtaining means of transport into the interior of the country; and, secondly, the difficulty arising from the apathy of the Natives. Notwithstanding, it is our duty to alleviate their sufferings—indeed there is all the more reason for doing so because of that apathy. This famine, like most other calamities, carries with it two lessons. The one is that we should facilitate more than we have yet done the means of transport with those districts in the interior of India which are liable from time to time to be threatened by drought and famine; and the other lesson is the means of artificial irrigation throughout those districts should be increased.

My Lords, Her Majesty, in her Speech

from the Throne, has laid before you for your Lordships' consideration proposals for several measures. I shall not attempt to go into the details of the measures promised by Government, because of those details I am necessarily ignorant. I think Her Majesty's Government have exercised a wise discretion in proposing no more measures than they can reasonably expect to deal with within the short limits of the time at their disposal—but the measures they intend to introduce are such as I feel sure your Lordships will consider useful and necessary. With reference to Scotland, I have to express gratification that Her Majesty's Government propose legislation in behalf of that country. There are other measures affecting Scotland besides those enumerated in the Speech, which I hope they will bring forward if the time at their disposal should permit of their introduction. There is one loss which your Lordships' House has sustained to which I feel it incumbent upon me to make some reference. I refer to the death of a noble and learned Lord—Lord Colonsay—who devoted a most assiduous attention to matters relating to the interests of Scotland especially, and whose ability and experience in reference to Scotch law was of the greatest assistance to the Law Lords in transacting the judicial business and legislation of your Lordships' House.

My Lords, Her Majesty has congratulated you on the happy event of the marriage of her son, and the successful conclusion of the Ashantee War. She has asked your sympathy in the calamity which has overtaken an important portion of the Empire, and she has laid before you several measures on which she asks your counsel and advice. My Lords, the history of your Lordships' House has been one continuous record of loyal devotion to the Throne, and it is therefore with the utmost confidence that I venture to ask your Lordships' unanimous assent to the Motion I have the honour to submit to you. I feel sure your Lordships will allow me to add that, notwithstanding the great political changes which have taken place, and the press of business which, owing to the lateness of the Session, will come upon your Lordships' House, it will be in no party or hurried spirit that your Lordships will enter upon your deliberations, but with the sole and single object

confidence especially of those classes who are most deeply interested in the matter.

My Lords, with regard to the other measures of legislation mentioned in the Queen's Speech, I am well aware that they are not so wide and comprehensive as some of your Lordships might desire; I will even admit that there are some other subjects with which the Government may feel obliged to deal, although they are not included in the Royal Speech. But, my Lords, I for one should have looked with some suspicion upon any large and comprehensive measures framed by a Government which has been in office barely three weeks; and agreeing, as I do, with my noble Friend the Mover of the Address, that Administrations have of late held out more promises than there was a reasonable hope of performing, I cannot help saying that Her Majesty's Government has exercised a sound discretion in not leading us to expect during this Session measures which there is no reasonable hope of bringing to a satisfactory issue, and although much may no doubt be expected of a year which in its infancy has brought us to the end of the great Tichborne trial, I fear it is not reasonable to calculate upon any large addition being made to the statute-book in a Session which began with a new Ministry on the 19th of March.

My Lords, the great political crisis through which we have just passed, although it does not affect the composition of your Lordships' House, must materially influence and modify the course of legislation for some time to come. I am aware that in endeavouring to interpret the political feeling of the country, as expressed on a recent occasion, I am treading on somewhat delicate ground; but, my Lords, as I have had an opportunity, within a very few months, of testing the opinion of one portion, at least, of the electoral community, I may venture, in the character of "a young man from the country" to express the result of my experience, and that in one sentence. I am not one of those who think that the people of England wish the Legislature to stand still and do nothing. I believe it is anxious and willing to support practical measures of administrative reform that are calculated to promote the welfare and prosperity of the community. It is

because I see this disposition reflected in the measures announced in the gracious Speech from the Throne, that I have willingly consented to assist in inviting your Lordships to agree to this Address. I feel I owe your Lordships an apology for trespassing, perhaps unduly, upon your time and attention. I have but one more duty to perform—and that the most difficult of all—namely, to tender to your Lordships my heartfelt thanks for the kindness and patience with which you have listened to me. I have deeply felt my unworthiness to perform this task; but I have undertaken it, relying solely on that generosity and forbearance which has been extended to me beyond all expectation, and for which I cannot adequately express my gratitude. The noble Earl concluded by seconding the Address. [See page 31.]

EARL GRANVILLE: My Lords, before I venture to make a few observations to your Lordships permit me to say that I should be very unwilling to interpose between the House and any other noble Lord who may wish to speak. The first duty I have to perform is the agreeable one of congratulating my two noble Friends on the manner in which they have performed one of the most difficult tasks I know of—that of moving and seconding the Address in reply to a Speech from the Throne. I speak not as a mere matter of form when I express my opinion that, as regards both substance and tone, it would not have been easy to perform those tasks better than they have been accomplished by my noble Friends. When I refer to tone, I refer to that tone which I have always found it to be the desire of your Lordships to observe on occasions of the discussion of an Address in answer to a Speech from the Throne, and I am sure your Lordships will feel it especially desirable that that tone should be observed in the discussion of an Address moved at the first meeting of a new Parliament, and immediately after the assumption of office by a new Government—a consequence of what I must admit to be the unmistakeable verdict of the country. And now, my Lords, in rising to address you from the Opposition benches, after five years of leadership in this House, I cannot do so without expressing my grateful sense of the kindness and forbearance extended to me by your Lordships throughout that

not therefore enter upon the causes which may have led to that war, nor into the geography of those distant Straits which contemporary historians and poets have been discussing during the recent elections. Neither will I attempt to solve the mystery which appears to enshroud the authorship of those treaties, or drafts of treaties, of which we have heard so much lately. I shall even decline to enter into the question of whether Her Majesty's late Government have or have not laid themselves open to the charge of dilatoriness in their preparations at the outset of the campaign. But, my Lords, I may venture to affirm one thing — namely, that from the moment that war appeared to be inevitable and it became evident that an expedition must be fitted out, Her Majesty's late advisers did display an energy and an activity which must have largely contributed to the brilliant success of our arms. My Lords, I think that credit is also due to the noble Viscount opposite (Viscount Cardwell), and to those with whom he acted, for the great wisdom and discrimination they exercised in the choice they made of Sir Garnet Wolseley, as the Commander-in-Chief of our Forces. It was with deep pain that we read that Sir Garnet Wolseley, on his arrival in Africa, was obliged to describe his position as a "humiliating" one, owing to a want of that support which might have enabled him to conclude his operations with a lesser sacrifice of time, and perhaps even of valuable lives; but this deplorable state of affairs has only exhibited in a still brighter light those noble qualities of which our small band of soldiers and sailors have given us so conspicuous an example. My Lords, upon the future results of this Ashantee War I should wish to say a few words. I believe that it will bring other results besides the addition of a brilliant page to that history of triumphs of which we English are so justly proud. I believe the war on the Gold Coast will act as a warning to the statesmen to whom in the future the affairs of this country may be committed to avoid a multiplication of engagements which may, and constantly do, lead us into complications which it is impossible to foresee, and into entanglements which it is next to impossible to avoid. I hope also that this war may bring home to the minds

of the people of this country the fact that the most peaceful nation in the world, under the guidance of a Ministry which certainly cannot be accused of any undue partiality for war, is at all times liable to be called upon to face sudden emergencies which render it vitally essential that our military forces, whether defensive or offensive, should be maintained in a state of thorough and permanent efficiency.

My Lords, if I allude to that terrible famine which has already caused so much misery in India, and which threatens to extend its ravages, it is because no one of your Lordships could, I am sure, find it in his heart to speak on this Address without endeavouring to express the deep sympathy which has been excited in the minds of the people of this country by so dire a calamity. Your Lordships will recall with pleasure the generous words of praise in which the Prime Minister alluded lately to the efforts of the Governor General to alleviate the threatened misery. I can only hope that we may accept these generous expressions as an earnest of that cordial mutual understanding and confidence between the authorities at Home and those in India, so indispensable at such a crisis.

My Lords, we have lately been told by a high authority that the attention of Parliament has been directed too much to domestic legislation, to the exclusion of matters affecting our relations with Foreign Powers. We may, therefore, suppose that to these questions the attention of the present Government, and of the Department over which the noble Earl opposite (the Earl of Derby) presides will be specially directed, and we may expect that the good relations which now exist with Foreign Powers will be maintained, while the faithful observance of international obligations will be firmly insisted on.

At the same time, your Lordships will observe with pleasure that Her Majesty's present advisers do not neglect domestic legislation. The appointment of a Commission is announced to inquire into the present law of the relation between master and servant, with a view to the early amendment of the Act of 1871, if necessary. I trust that great care will be exercised in the appointment of those who may have to serve on that Commission, with the object of securing the

charged his duties in a most remarkable manner. Time was a most important element. Sir Garnet Wolseley had, before leaving this country, to consult the military authorities and also the Medical and Supply Departments. He had to make arrangements as speedily as possible for counteracting the deadly climate in the interior, to make himself perfectly acquainted with the whole case, to make the necessary preparations, and to report home in time for the despatch of troops. The whole affair had to be carried out between December and March, and the operations of Sir Garnet Wolseley were facilitated by the arrangements at home, which enabled the troops to be despatched a month earlier than it was anticipated would be possible. Although we have lost many distinguished officers, I am happy to say that every comfort was provided for the troops and that every care was taken of the sick and wounded, owing to which the number of actual deaths was very small. I now come to a very melancholy subject—that of the impending famine in India. It is one of the misfortunes of a large empire that calamities of this kind will occur in some parts of it from time to time, and it may be some sort of consolation to us to know that where one man dies in the course of such a visitation under our Government, thousands would have died under the former bad Government of India. This fact, however, in no way relieves the Government from the responsibility of taking every possible care to diminish the evil effects of the calamity, if it cannot altogether prevent its occurrence. I regret that my noble Friend the Duke of Argyll is prevented by indisposition from being in his place this evening, for I know that he was anxious to take the earliest opportunity of paying a just tribute to Lord Northbrook for the foresight, the kindness, and the completeness of the measures he has taken for the relief of the sufferers. I said at the commencement of my remarks that I had only a few observations to make, and I now beg to thank your Lordships for your kindness in listening to what I have said.

**THE DUKE OF SOMERSET:** My Lords, I do not wish for a moment to interfere with the harmony and unanimity with which it appears to be the feeling of the House that this Address

*Earl Granville*

should be received; but I rise to make a few observations upon the recent political events and changes that have taken place. I find myself now placed on the Opposition side of the House instead of on the benches behind the Government. We have heard it said that the Members of this House were so far removed from their countrymen that they were in total ignorance of public opinion—that they were so far removed from all sensible men in the country, that they were in a manner “up in a balloon.” Since that statement was made, the opinion of the country has been taken, and I should like to ask who it was that was “up in a balloon?” The high official who told us that we were “up in a balloon,” was himself, with his companions, “up in a balloon,” and what a tumble they have had! Many of them, however, by the gracious favour of the Sovereign, have fallen upon the soft cushions of this aristocratic assembly. My Lords, it must be remembered also that the same high authority said that he should consider three times whether or not he should abolish this House altogether. I am glad to see that, instead of abolishing this House or thinking of doing so, he has desired to strengthen and invigorate it. In the discussions in this House many of those who have been recently created Peers will be of great advantage in assisting our deliberations—they will not only be of great use to those who sit on this side of the House, but they will also be of great use to those who sit opposite us, because, should any noble Lord on the opposite side of the House be tempted in a moment of weakness to mis-apply any public money, or to disregard the vote of Parliament in making some departmental improvement, he will look across the House and will see sitting among us the late Postmaster General, and take warning. Again, if under the impulse of popular clamour any noble Lord should be tempted to interfere with the vested interests of a large and powerful body in this country, let him look across at the late Home Secretary sitting among us, and he will be very careful how he ventures to meddle with the interests of the licensed victuallers. Again, if any noble Lord thinks that by making large concessions, and by taking the property from one class of the community to give it to another he can conciliate the Irish

people, let him look across the House, and he will see an example of how the warm hearts of the Irish boiled over with gratitude towards a Minister who made every effort to satisfy the unreasonable demands of the Irish priesthood and the insatiable rapacity of the Irish tenantry. These are the lessons we shall derive from the recent accessions to this House. The Liberal party in the other House owe to the House of Lords the "minority clause" which has saved many of them their seats, and I should expect that many Liberal Members of that House, if they are capable of feeling gratitude, will come to the noble and learned Lord on the Woolsack, who moved the insertion of that clause, with a testimonial of their regard and affection. I do not complain of being on this instead of on the other side of the House; but I do complain of the manner in which the late Government brought about this change. I consider that the conduct of the late Prime Minister in issuing a proclamation, and, even before the proposal had been formally sanctioned by the Sovereign, sending down to his constituents the information that an appeal was to be made to the country immediately, was most objectionable. I also consider that the Prime Minister adopted a most unusual course in submitting a Budget to the country before it had been discussed in Parliament. Such a course would have been objectionable under any circumstances, but it was doubly mischievous as a precedent, when it was adopted by a man of the ability and financial reputation of the late Prime Minister. I trust, however, that the precedent will not be followed. We were not only told of the changes which were to be made—and which ought never to have been brought forward, except in Parliament where they could have been discussed in connection with the whole financial scheme of the Government; but besides we were told that there was to be a re-adjustment of taxation. The effect of this was that people began to distrust the bribe offered to them. Some, no doubt, approved the abolition of the income tax; some may have approved the reduction of custom duties, or the "free breakfast table;" but all were curious to know what the re-adjustment of taxes meant—what, in fact, if I may use a well-known Parlia-

mentary phrase, was concealed under the other thimble. My noble Friends sitting below me, who must have seen the conjuring trick performed in Downing Street, can perhaps tell us, as a matter of history, what there was under the other thimble. The game is now over, and if my noble Friends will only favour us with that information, I am sure it will be of great interest, both to the House and the country. But, my Lords, I desire to call your attention to a letter which has been published—not the letter addressed to "Dear Lord Granville," but the letter addressed by Mr. Gladstone to "Dear Lord Fermoy"—the purport of that letter was at such a time most objectionable—Mr. Gladstone stated that he could not altogether make up his mind to oppose Home Rule, because he did not know what it meant. Now, other Ministers knew very well what it meant, and they spoke out clearly and distinctly about it; but Mr. Gladstone could not make up his mind. He would not support the movement, but he would not give it a denial. This was a most unfortunate and improper proceeding. Here is a Minister enjoying the command of the patronage of the Crown, to whom the interests and integrity of the Empire are intrusted, and who on one of the most vital questions is unable to express a distinct opinion for fear that by so doing he may lose some votes. My Lords, is there any one of you who had any difficulty in finding out what this Home Rule meant? Is there any one who doubts that by means of this cry candidates have been able to gain the popularity of treason without incurring its dangers? And now, my Lords, Mr. Gladstone says he will only lead if he has an united party to back him. But who has prevented ours being an united party if it be not Mr. Gladstone himself? Has he not continually taken part with the extreme sections of the Liberal party, and driven the moderate Liberals from him? He has shown favour towards the advocates of the most extravagant changes and condescended to lick the very dust off the feet of democracy. It is owing to this that he has lost the support of so large a portion of the Liberal party, and I feel confident that he will not regain it, for a very large section of the Liberal party will not unite in any way with those, either in

England or Ireland, who are seeking to effect the dismemberment of the Empire. Mr. Gladstone also writes to Lord Granville and tells him what he means to do. It seems that he means to retire very much from political life, but every now and then to assist by what he calls his advice. Now, my Lords, I delight as much as anyone does in Mr. Gladstone's great talent and eloquence, and in his vigorous energy and dexterity in debate; but his advice and judgment I believe to be the least valuable product of his fruitful mind. The Liberal party see now where his advice has brought them. The power is transferred to noble Lords opposite, and I hope they will take warning by the errors of this side, and, by avoiding our faults, find better success in conducting the affairs of the country.

LORD COLCHESTER briefly addressed the House, but some confusion prevailing, was almost inaudible.

LORD SELBORNE: I should have wished, my Lords, that the course indicated by the speeches of the two noble Lords who moved and seconded the Address would have been followed; and I fully agree that on an occasion like the present, unanimity should prevail, and that no topic of an irritating character should be introduced. I have heard with very great pain and regret the speech which has been delivered this evening by the noble Duke near me—a speech which, if delivered at all, ought to have been delivered at some other time, and in a place where the person attacked would have been able to make his own reply. Of that great man, with whom I have had the honour for some short time to be associated, I cannot trust myself to attempt to speak, as my sense of his uprightness, and of his intention to do justice to all interests and classes in the country, and of his high character would prompt me to do; but I am bound to say that if it were proved of the late Prime Minister, as the noble Duke suggested, that he had tampered or coquetted—or some such expression—with those who seek to dismember the Empire, or if it were proved that he had licked the very dust off the feet of democracy, it would be impossible for the grave disgrace to rest with him alone. Such disgrace would have to be shared by every Member of the late Government. I repudiate—I must

say with indignation—the suggestion that the late Government or its head tampered, or attempted to tamper, at any time, with the question of the dismemberment of the Empire, or did at any time anything that could be construed into licking the dust off the feet of democracy, and I am sure that there is no member of the late Administration to whose mind and character such acts are more wholly foreign than its illustrious head. The noble Duke has referred to a letter written to Lord Fermoy by Mr. Gladstone;—and it would, perhaps, be as well that notice should be given of such attacks as that made by the noble Duke, so that we might be prepared with copies to refer to. In that letter Mr. Gladstone appeared to have used the expression that he did not know what Home Rule meant, or something equivalent, and the noble Duke, in the very next sentence, confirmed the manifest meaning and intention of Mr. Gladstone in so expressing himself, for the noble Duke said that 50 different people took up the expression and meant 50 different things by it. Before, therefore, any person would be justified in interrogating Mr. Gladstone on this subject, he ought to explain what he means by Home Rule, and then Mr. Gladstone would be able to give his opinion upon a thing so understood. But your Lordships have probably not forgotten that Mr. Gladstone has in reality left no doubt about his opinion of Home Rule as generally understood—namely, as a cry, whether taken up in earnest or not, and by this man or by that man, which can have but one practical tendency, the dismemberment of the Empire. Upon that point Mr. Gladstone has left no doubt at all, for when—I think less than a year ago—he received the freedom of the city of Aberdeen he went even out of his way to state that that notion of the dismemberment of the Empire was one which no statesman of this country could ever possibly entertain. It was impossible for anybody with even the smallest grain of charity to doubt after this Mr. Gladstone's sentiments on the subject of Home Rule. Surely, in such a correspondence it was only natural he should wish to call attention to the fact that various people meant various things by the expression “Home Rule,” and that it was used by many persons not insin-



cerely to signify things as far remote from treason and the dismemberment of the Empire as Mr. Gladstone's own mind would be. I hope that Mr. Gladstone did not do injustice to this particular nobleman by this correspondence, and that he thought him one of those who echoed the cry of Home Rule, not with a view to the dismemberment of the Empire, but in some narrow, shallow, and unpractical sense, doubtless totally different from that which constitutes its real importance and danger. I do not think I should act in a manner of which your Lordships would approve if I were to follow the noble Duke in any explanation of the course taken by the late Government in the dissolution of the last Parliament. It is quite a mistake to suppose that Mr. Gladstone issued an address to the Electors of Greenwich before Her Majesty's pleasure had been taken on the subject. Her Majesty had signified her will and pleasure that the dissolution should take place before that or any other step had been taken by Mr. Gladstone or any other person on that subject. Whether it was right or not for Mr. Gladstone in his address to his constituents to state as openly, frankly, and candidly as he did state the views he entertained upon the great opportunity that presented itself of turning to account the large and extraordinary surplus in the public Exchequer, may be a matter upon which the opinions of your Lordships may differ. But if, as a matter of fact, the existence of the opportunity did constitute the whole and sole ground for not waiting for the expiry of the Parliament, and for ascertaining at once in whom the country placed its confidence—if, as a matter of fact, that was the express ground for the Dissolution, I do not know how anyone could abstain from explaining the grounds of that step. Nor do I believe, if the precedents were examined, it would appear so wholly unprecedented to refer to financial measures and changes affecting the incidence and the burden of taxation upon the people. I cannot but think that is a point upon which any Minister who appeals to the country as to whether it has confidence in him or not has a right to express himself, and since it was the will of the country that the Government should be conducted by others it was far better for the country that we should at once leave the conduct of affairs,

with that great financial opportunity, to those in whom the country had confidence. I trust that they will use that opportunity well. But of this I am sure—that if Mr. Gladstone's intended policy was a wise and sound policy he would not have been doing justice to it if he had attempted to bring it forward in the last Session of an expiring Parliament, in which parties were very much disorganized, and which had shown proofs of want of confidence in the late Government. Mr. Gladstone acted on that, as on all other occasions, with the sincere and honest intention to serve the Queen and country, and in every act of his Administration he was determined to maintain those great interests which he is supposed to be capable of undermining. That I am confident he will continue to do to the end; not tampering at any time with any principle or opinions which, in his judgment have any tendency to undermine the security of the Throne or the integrity of the Empire. Of that I am assured. I do not, however, ask your Lordships to pass any testimony of approbation upon the late Administration. I deeply lament that anything has been said that has made it necessary for me to appear in the character of the apologist of Mr. Gladstone, and it is the last occasion that I should have chosen for that purpose. But after what has been said by the noble Duke it was impossible for all Mr. Gladstone's Colleagues on this side of the House to sit still and allow what has been said to go forth to the world in silence, without a single syllable to show that we shared the responsibility with him, and we wholly repel and repudiate the suggestion that we are prepared to encourage or countenance in the smallest degree those who would shake the stability of the Throne or dismember the integrity of the Empire.

EARL GREY: My Lords, it is all very well to say that Mr. Gladstone did not mean what the Home Rulers meant. No doubt it is very true that Home Rule signifies different things to different people; but no one can watch what has been going on in Ireland during the last few months without being aware that Home Rule is used in a sense most dangerous to the permanence and stability of the Empire. It conveys to the minds of ignorant men a measure which might sooner or later tend to the

destruction of the Empire. And that being the case, when Mr. Gladstone was called upon to express an opinion on that subject, was it fit and proper that he should ride off upon an assumed ignorance as to what was meant by Home Rule, and abstain from speaking out in plain and distinct language, asserting in language equally plain and distinct his determination to resist to the utmost any step tending to such calamitous results? The noble and learned Lord (Lord Selborne) said that this was unnecessary, because the year before, at Aberdeen, Mr. Gladstone had expressed a very strong feeling on this subject, and had distinctly condemned the project of Home Rule. Reference to a speech, made more than a year ago, would have been more satisfactory if, unfortunately, Mr. Gladstone's opinions had not been for forty years in a state of constant and progressive change, and too often, in my opinion, in a direction highly dangerous. Further, that speech was made before the corporation of a distant town, and it might never have been heard of in Ireland. Such a speech was not sufficient to exempt the Prime Minister from the duty of stating clearly the real opinions of the Government. I will only say a single word as to the Dissolution of Parliament. That was a measure which gave me the most complete astonishment I ever felt throughout my public career. Remembering the time and manner in which it was adopted, it seemed not only unjustifiable, but likely to lead to the very results which occurred. It can only be described as an act of political suicide, and if it were the practice to hold coroners' inquests on deceased Administrations, I have no doubt the jury would have brought in the customary verdict of "temporary insanity."

THE EARL OF DERBY: My Lords, it certainly is not my wish to take any part in the controversy that has been carried on upon the benches opposite:—the only remark which I will make with reference to it is that, when the noble and learned Lord opposite (Lord Selborne) told us, in reply to the noble Duke, that he did not think it fitting that the leader of the Liberal party in the other House should be attacked in a place where he was not present to defend himself, he lays down an argument which would carry him a little

further than he probably intended to go. It would be a doubtful precedent, because it would lead to this—that no man who has a seat in this House is entitled to criticize the character and policy of a political leader who may happen to have a seat in the other House.

EARL GRANVILLE observed that Mr. Gladstone's personal character had been attacked.

THE EARL OF DERBY: His political character is all that I understood to be questioned. However, I will not pursue that subject farther. Whatever has been done, whatever has been left undone, by those who preceded us in office, a judgment has been passed upon their policy which, whether it be right or wrong, is at all events final and indisputable. I, for one, do not wish, either at this or at any other time, to revive the controversy which has been carried on during the last few weeks in every part of the country, and which we may hope has been satisfactorily set at rest by the result of the General Election. My Lords, I am bound to express the sense I entertain of the spirit of courtesy and fairness with which the Speech from the Throne and the present position of affairs have been commented on by the noble Earl (Earl Granville), lately leader of this House. My Lords, there was nothing in the observations that fell from the noble Earl from which I could dissent, and therefore it is not necessary that I should take up any portion of your Lordships' time in any comment on his remarks. I am sure your Lordships will concur in offering most sincerely your congratulations to Her Majesty upon that Royal marriage which has excited so much public attention, and drawn forth an expression of feeling so genuine and spontaneous. No event can be politically unimportant which tends to bring together in any degree two Empires having great interests in the same quarter of the globe; and no event can be socially unimportant which contributes to the domestic happiness of those who from their high station are objects of attention and sympathy on the part of thousands who never even saw their faces. With regard to my noble Friends, the Mover and Seconder of the Address, I think I shall express the unanimous feeling of your Lordships when I say that

both the noble Marquess and the noble Earl have discharged their duty—a duty not free from difficulty—in a manner which must have been satisfactory both to themselves and to your Lordships, and which should encourage them to take an active part in our future discussions. With reference to the measures indicated in the Speech from the Throne, your Lordships are aware that from the short interval which elapsed between the period at which the present Government acceded to office, and that at which the present Session has begun, the Government have had but little time for the preparation of any great legislative scheme. Nothing, perhaps, is more inconvenient—nothing could be more inconvenient than to bring forward such schemes without ample preparation—and we were equally anxious to avoid a fault which has not been uncommon of late years, that of bringing in and keeping before Parliament a larger number of measures than there could be any reasonable expectation of carrying. I hope with reference to measures connected with law reform that important progress may be made, and when we remember the manner in which the measures proposed by the noble and learned Lord opposite (Lord Selborne) were received by my noble and learned Friend on the Woolsack, I trust we, in our turn, may confidently rely on the valuable assistance which the experience and ability of the noble and learned Lord can give upon this subject. With reference, my Lords, to Foreign Affairs—the Department with which I am specially connected—I certainly do not intend to utter anything in the nature of a prophecy. If I were inclined to do so I should certainly take warning from what happened three and a half years ago, when the noble Earl (Earl Granville), on the very eve of the breaking out of the Franco-German War, congratulated himself on the fact that the aspect of foreign affairs was so absolutely unruffled there was not a cloud in the horizon. [Earl GRANVILLE interposed a remark.] All I can say is that at the present moment the position of the country in regard to our foreign relations is most satisfactory. There is no State whatever with which our relations are not most cordial. I do not think it will be expected that I should make any declarations as to the principles on which the

foreign policy of the Government will be based. I do not think that such general declarations have much practical value, because in regard to foreign policy there is very little difference of opinion among us; the only real difficulty is as to the practical application of principles on which we are all agreed. I think it right to say that my noble Friend the noble Marquess who has charge of Indian Affairs (the Marquess of Salisbury) will take the very earliest opportunity of placing before your Lordships the actual position of matters, and the steps which it is proposed to take with reference to that lamentable event—the famine in India. I do not think it would be my duty in any way to anticipate my noble Friend's statement; but I may say this—that, as I believe, the real difficulty with which our Indian Administration has to deal is not the want of funds—because funds will be amply and liberally supplied—not the want of food—because food in large, and I hope sufficient quantities, exists—but the real difficulty we have to deal with is one not so easily met—that of taking the food to the people. It is the means of transport that are deficient, and the machinery for that purpose cannot be extemporized in a day. With regard to the policy to be pursued on the Gold Coast, as a consequence of the Ashantee War—now happily terminated—I do not suppose your Lordships would wish to express any opinion until after full and deliberate consideration; and, above all, until you have had the advantage of perusing the official despatches of those gallant officers who took so distinguished a part in the operations on the Coast. We may not be—we probably are not—any of us very anxious to extend or to maintain our possessions in that part of the world; but we are bound, in dealing with that matter, to consider the treaties we may have entered into, and the duties which we may have incurred, in regard to the native tribes who have acted as our allies in the war. As to the way in which the war has been carried out, I can only repeat what has been already said as to the gallantry and endurance of our troops. As there is no question under discussion, and no difference of opinion on any matter actually before us, it would be unpardonable in me to trespass longer on your Lordships' time.

Address agreed to, *nomine dissentiente*, and ordered to be presented to Her Majesty by the Lords with White Staves.

#### CHAIRMAN OF COMMITTEES.

The LORD REDESDALE appointed, *Nomine Dissentiente*, to take the chair in all Committees of this House for this Session.

COMMITTEE FOR PRIVILEGES — Appointed.

SUB-COMMITTEE FOR THE JOURNALS—Appointed.

APPEAL COMMITTEE—Appointed.

RECEIVERS AND TRYERS OF PETITIONS—Appointed.

#### PRIVATE BILLS.

*Ordered*, That this House will not receive any petition for a Private Bill after *Monday* the 30th day of this instant *March*, unless such Private Bill shall have been approved by the Court of Chancery; nor any petition for a Private Bill approved by the Court of Chancery after *Monday* the 12th day of *May* next:

That this House will not receive any report from the Judges upon petitions presented to this House for Private Bills after *Monday* the 12th day of *May* next:

*Ordered*, That so much of Standing Order No. 179. section 3. as requires that “no such Bill shall be read a second time earlier than the fourth day nor later than the seventh day after the First Reading thereof” be suspended during the present Session, and that every such Bill shall be read a second time on the fourth day after the First Reading thereof, whether the Standing Orders applicable thereto have or have not been complied with; and that so much of the Order of the 15th day of *March* 1859 as requires two clear days notice of the day on which any Bill shall be examined shall also be suspended during the present Session in respect to Bills originating in this House:

“That so soon as the List of Bills in either of the two classes of Private Bills which are to commence in this House shall be settled, all such Bills which the promoters intend to proceed with must be read a first time on the next day on which the House shall sit: and that all such Bills in the case of which the Examiners shall have certified that the Standing Orders have not been complied with shall be referred to the Standing Orders Committee on the third day after such First Reading.

#### MAGDALEN HALL PROPERTY BILL.

A Bill for vesting property held in trust for Magdalen Hall in President and Scholars of Hertford College; and for other purposes—Was presented by The Marquess of SALISBURY; read 1<sup>st</sup>. (No. 3.)

House adjourned at a quarter past Seven o'clock, 'till To-morrow, half-past Ten o'clock.

## HOUSE OF COMMONS,

*Thursday, 19th March, 1874.*

The House met at Two of the clock.

Message to attend the Lords Commissioners;

The House went; and being returned; Several Members took and subscribed the Oath; and one Member, being of the People called Quakers, made and subscribed the Affirmation required by Law.

#### NEW MEMBERS SWORN.

Right Hon. Gathorne Hardy, *for* Oxford University; Right Hon. Sir Stafford Henry Northcote, *for* Devon (Northern Division); Right Hon. Richard Assheton Cross, *for* Lancaster (South Western Division); Right Hon. George Ward Hunt, *for* Northampton (Northern Division); Right Hon. Viscount Sandon, *for* Liverpool; Right Hon. Stephen Cave, *for* New Shoreham; Right Hon. George Selater-Booth, *for* Southampton (Northern Division); Right Hon. Sir Michael Edward Hicks Beach, *for* Gloucester (Eastern Division); Donald Cameron, esquire, of Lochiel, *for* Inverness-shire; Sir James Dalrymple Horn Elphinstone, *for* Portsmouth; Sir John Burgess Karslake, *for* Huntingdon; Sir Richard Baggallay, *for* Surrey (Middle Division); Rowland Winn, esquire, *for* Lincoln (Northern Division); Right Hon. John Thomas Ball, *for* Dublin University; Sir Massey Lopes, baronet, *for* Devon (Southern Division); Earl Percy, *for* Northumberland (Northern Division); Viscount Barrington, *for* Eye; Lord Henry Somerset, *for* Monmouthshire; Right Hon. Edward Strathearn Gordon, *for* Glasgow University; Alexander William Hall, esquire, *for* Oxford City; Right Hon. Benjamin Disraeli, *for* Bucks.

#### PRIVILEGE.

COMMITTAL OF A MEMBER BY THE COURT OF QUEEN'S BENCH FOR CONTEMPT.

MR. SPEAKER acquainted the House, that he had received a Letter from the Lord Chief Justice of England, which MR. SPEAKER read to the House, as followeth:—

March 19, 1874.

Sir,—I take the liberty of troubling you with reference to the facts which I am about to bring under your notice. I am not at all sure that I am not troubling you unnecessarily. Should this be so, I trust that my motive will be deemed a sufficient excuse.

On the 23rd of January last, Mr. George Hammond Whalley, then a Member of the late House of Commons, was adjudged by the Court of Queen's Bench, then sitting on the trial at Bar in the case of the Queen versus Castro, to have been guilty of a Contempt of that Court, in having published certain observations on evidence given on that trial, while it was still pending, and for such his Contempt was sentenced to pay a fine to the Queen of \$250.

Having in open Court declared his determination not to pay such fine, Mr. Whalley was further ordered to be imprisoned till such fine should be paid.

In conformity with previous precedents, I should have felt myself called upon, as presiding on the occasion in question, to notify to the House of Commons, in the name of the Court, the fact of one of its Members having been thus imprisoned, as soon as the House, which was at that time prorogued, should have been again sitting. But on Monday, the 26th of January, Parliament was dissolved by Her Majesty's Royal Proclamation, and in the meantime, Mr. Whalley, having paid the fine imposed on him, was in due course of law discharged.

The case does not therefore fall within the existing precedents, in each of which the report was made to the House of which the Member imprisoned for Contempt was an actual Member.

If I rightly apprehend the principle on which Lord Chancellor Brougham, in the case of Mr. Wellesley, and Lord Chancellor Cottenham, in the case of Mr. Charlton, proceeded in reporting to the House of Commons the imprisonment of one of its Members—and I say so after having consulted very high authorities—it was not that there was any doubt of the power of a Court of Justice to commit a Member of the House of Commons for Contempt, but because it was thought right, out of that deference and respect which every Court of Justice would desire to manifest towards the House of Commons, to inform the House of the arrest of one of its Members, and of the reason why the Member so circumstanced was prevented from appearing in his place and discharging his duties as a Member of the House.

This reason would not appear to apply to a case in which the House of Commons, of which the Member was a component part at the time of his arrest, had ceased to exist before any report could be made—unless, indeed, the party imprisoned having been again elected a Member of a new House of Commons, the imprisonment should be continued, and the Member should be thus prevented from taking his seat—which, however, is not the case in the present instance.

I am therefore disposed to think that I am unnecessarily troubling you in reporting the imprisonment of Mr. Whalley when a Member of the late House of Commons. It has, however, come to my knowledge that a different view of the matter is taken by several present and former Members of the House of Commons, for

whose opinions I entertain the highest respect; and as it would be matter of the deepest concern to me that the Court of Queen's Bench should by any possibility be deemed to have been wanting in respect to the House of Commons, I prefer to run the risk of appearing to do that which may be unnecessary, to the possibility of appearing to be wanting in deference to the House.

I beg, therefore, under the circumstances, to submit the matter to your judgment; and if you should be of opinion that the fact of Mr. Whalley's commitment for Contempt by the Court of Queen's Bench, when a Member of the late House of Commons, should be notified to the present House, I beg leave, through you, to communicate the fact with the expression of my profoundest respect for the House. I have the honour to remain, Sir, your very obedient humble Servant,

A. E. COCKBURN.

The Rt. Hon. the Speaker of the

House of Commons, &c., &c., &c.

#### CONTROVERTED ELECTIONS — BOROUGH OF TAUNTON.

MR. SPEAKER informed the House, that he had received from Mr. Justice Grove, one of the Judges selected for the trial of Election Petitions, pursuant to the Parliamentary Elections Act, 1868, a Certificate and Report relating to the Election for the Borough of Taunton.

Mr. Speaker also informed the House, that the said Certificate having been given and the Report made before the Dissolution of the late Parliament, were not received by him until after such Dissolution, but that he thought it right that the same should be laid before the House.

And the same was read, to the effect that Henry James, being the Member whose Election and Return were complained of in the said Petition, was duly elected and returned.

That no corrupt practice was proved to have been committed by or with the knowledge or consent of any Candidate at such Election.

That there is no reason to believe that corrupt practices have extensively prevailed at the Election for the Borough of Taunton, to which the said Petition relates.

#### DUNDALK AND LOUTH COUNTY ELECTIONS.

MR. SPEAKER acquainted the House, that he had received a Letter from Philip Callan, esquire, returned as a Member for the Borough of Dundalk, and also for the County of Louth, making his election to serve for the Borough of Dundalk.

And the said Letter was read, as followeth:—

Cookstown House, Ardee, Ireland,

March 17, 1874.

Sir,—Having been elected to serve in Parliament for the Borough of Dundalk and for the County of Louth, I beg leave to inform you that it is my intention to sit for the Borough of Dundalk. I have the honour to remain, Sir, your obedient Servant,

PHILIP CALLAN.

To the Right Hon. the Speaker  
of the House of Commons.

#### FALKIRK DISTRICT OF BURGHs.

MR. SPEAKER acquainted the House that he had received a Letter from John Ramsay,

esquire, the Member returned for the Falkirk District of Burghs, which Letter Mr. Speaker read to the House as followeth:—

140, Bath Street, Glasgow,  
17th March, 1874.

Sir,—I take leave respectfully to explain that at the late General Election I had the honour of being returned to serve in Parliament as Member for the Falkirk District of Burghs.

I have recently, however, been made aware of a disqualification which appears to have attached to me at the date of my Election from my having then held four sixty-fourth shares in a steam vessel, the owners of which were under an agreement with the Postmaster General for the conveyance of Her Majesty's Mails to and from the Island of Islay, in consideration of an annual allowance of £150.

The proportion of that allowance which accrued to me was only £9 7s. 6d., and although I have been formally released from that agreement, and have ceased to have any share or interest in that vessel, still I am advised that under the provisions of the Act 22nd George III. cap. 45, I was, at the date of my Election, disqualified, that the Election is void, and that I am thus precluded from taking the oaths and my seat.

In these circumstances I have lost no time in bringing the matter under your consideration, and I have respectfully to request that you will be pleased to submit this communication to the House of Commons at your early convenience. I have the honour to be, Sir, your most obedient Servant,

JOHN RAMSAY.

The Right Honourable the Speaker  
of the House of Commons, London.

#### NEW WRITS.

For the Falkirk District of Burghs, *v.* John Ramsay, esquire, who, having held a Contract entered into for the Public Service at the time of his Election for the said Burghs, was incapable of being elected for the same; *for* Lancaster (Northern Division), *v.* Right Hon. Colonel Wilson Patten, called up to the House of Peers.

#### OUTLAWRIES BILL.

Bill "for the more effectual prevention of Clandestine Outlawries," read the first time; to be read a second time.

#### THE QUEEN'S SPEECH.

MR. SPEAKER reported Her Majesty's Speech, made by Her Chancellor, and read it to the House.

#### ADDRESS IN ANSWER TO HER MAJESTY'S MOST GRACIOUS SPEECH.

SIR WILLIAM STIRLING MAXWELL, in rising to move that an humble Address be presented to Her Majesty in answer to Her gracious Speech, said: I am not sure that I have

any precise right to claim the consideration of the House in performing this duty; but I, nevertheless, stand greatly in need of its kindness and indulgence.

The House will be glad to hear from Her Majesty that Her relations with Foreign Powers are so cordial and friendly. I am sure that the use of influence arising from those cordial relations to the maintenance of peace in Europe and the faithful observance of international obligations will be a use conformable not only to the dignity of Her Majesty's Government, but also to the interest and desire of those whom we represent in this House. Nothing can be of advantage to any great nation in Europe, or the world, which will not be found advantageous also to this country, connected, as it is, with each of these nations by ties, which every year renders stronger and more numerous.

Sir, the late House of Commons signified its cordial approval of the then projected marriage of His Royal Highness the Duke of Edinburgh, and I am sure that the present House of Commons hears with equal joy of the completion of the marriage, and welcomes the arrival in this country of His Royal Highness and his Imperial bride. I am not saying too much, I hope, when I say that any event which promotes the domestic happiness of Her Majesty also spreads satisfaction through every household in the United Kingdom. A Royal marriage between two great Houses like those of England and Russia does not, perhaps, exercise that amount of political influence with respect to international relations which in other times it was supposed to possess and exert. But there can be no doubt that an auspicious marriage like this does exert a social influence greater than any which ever belonged to such marriage in other days. The marriage for which London was last week illuminated will unquestionably bring more Russians to visit the Tower of London, and will send more Englishmen to visit the Kremlin of Moscow, than were formerly attracted hither or thither by that dim and distant alliance commemorated in the ode of the Poet Laureate. No event which makes England better acquainted with Russia—a nation which we and our forefathers have known, for so many generations as a cordial and valuable ally, and which we have learned during one brief period to respect as a gallant foe—can fail to



be productive of advantage to both countries.

Sir, the House will hear with pleasure of the close of the war with the King of Ashantee, and will also cordially echo the hope expressed in the Royal Speech, that the negotiations for peace will result in a better state of affairs than has hitherto prevailed upon the West Coast of Africa. The Speech does no more than justice to the discipline, endurance, and courage, under trying circumstances, of Her Majesty's forces of both services, and of all ranks, in all the duties in which they were engaged. Indeed, Sir, I might almost venture to say that these men and their leaders have more than maintained the traditionary reputation of the British arms. There are military historians who have recorded their opinion that British soldiers can stand and fight as few can, but that they cannot march; and we know that a great commander has told us that his victories were won no less by the legs of his soldiers than by their arms. I think that the advance on Coomassie has tested in a sufficiently severe manner the marching powers of the troops engaged. Of the gallant leader of the expedition—Sir Garnet Wolseley—I may say that his energy, foresight, and military skill point him out as one of a band who will fill the places of the great leaders who are gone, and of those who are passing away. It is not necessary for me to dilate on the services of one who may probably be honoured on a future occasion by receiving the thanks of this House. But I think I ought to mention the name of Captain Glover, whose services have been hardly less remarkable than those of Sir Garnet Wolseley himself. He and his three English companions seemed to have discovered the secret of infusing something of the spirit of our northern races into the negroes of the Tropics. As a Scotchman, I hope that I may speak with feelings of national pride of the behaviour of our favourite regiment, the gallant 42nd, upon whom so much of the brunt of the fighting fell, and rejoice that in the jungles of Africa, it maintained the honour won upon the famous battle-fields of other continents. We have, it is true, to deplore the loss of many officers and men, some of them slain in battle, and

more smitten by the deadly climate. Many of these were volunteers. Among one of the earlier victims was the son of a noble Lord who has long held a prominent place in the deliberations of this House (Lord Elcho), and I believe that not only his friends but all the Members of this House will sympathize with him and with his family in their great loss. But whilst we indulge in such natural emotion, it is a comfort and a pride to think that there are such men ready to die for their country, and that when the note of preparation sounded for what seemed to be an ignoble war on the shore of Africa, it could surround our flag with such volunteers.

The Indian Famine is a subject which we must all have watched with great pain and anxiety. The House will, therefore, cordially approve of the course which Her Majesty has taken of sending orders to the Governor General of India that no cost should be spared to mitigate that dreadful calamity. The people of the three kingdoms have shown their sympathy for their Indian fellow-subjects by holding meetings and by subscribing large sums of money for their relief. Indeed, if money alone could relieve the calamity, we might be under little apprehension on the matter. There is no want of money to buy food, or of food to be bought for money; but the difficulty seems to consist in bringing the food and the starving multitudes together, and sometimes in inducing those unfortunate people to bestir themselves for their own relief. It is impossible to extemporize means of transport, or roads upon which those means are to be employed; and still less is it possible to extemporize changes in the habits of an ancient people. The moral of the calamity seems to be, that we must lose no time in extending and developing the resources of India, and by completing a network of roads and railways, render the recurrence of such a calamity impossible in the future.

There are several passages of the Speech which deal with alterations in our system of Judicature. The Bill which was passed last Session necessitated the re-modelling of the Judicature of Ireland, and, in a less degree, certain changes in the Judicature of Scotland. In these matters I have no doubt that Her Majesty may depend upon the loyal

co-operation of all learned Gentlemen in this House. I am sure also that the Bill for amending the law relating to Land Rights and for facilitating the Transfer of Land will be a great boon to all those who have hitherto suffered from the present defective state of those laws.

With regard to the law of Master and Servant, the Government has announced its intention to issue a Royal Commission. It is possible that some Gentlemen in this House might have preferred that the subject should be dealt with at once by a Bill introduced into the House. But it is for the Government, which is to be responsible for such legislation, to determine whether it has or has not sufficient materials for forming a judgment. If it has not, then it has taken the legitimate and the usual course for obtaining and analyzing the necessary information. I feel sure the Commission will be composed of persons who will command the confidence of the country. The Sale of Liquors Bill will also, as the Speech informs us, be a subject for your consideration. Sir, I hope that any Bill which may be brought in will be framed, in the interest not of any particular class, but of the nation; that the liquor traffic will continue to be conducted in a proper and orderly manner; that certain grievances which have been complained of will be redressed; and especially that the defects of the licensing system may be removed.

As a Scotch Member, it has given me great pleasure to find that a paragraph in the Speech has been devoted to Scotch subjects. From this, I infer the possibility that, in the course of the Session, some few days may be devoted to Scotch legislation. With regard to the transfer of land, we have long required remedial measures. Scotchmen may be well proud of the fact that a great desire to acquire land in that country has recently developed itself among Englishmen, and that the stream of migration which for so many generations appears to have taken a southern course has now set in the opposite direction. Her Majesty's Government will find, therefore, on both sides of the House, many Members who are not Scotchmen, who will, nevertheless, both understand and endeavour to remove the defects of the laws relating to land rights and the transfer of land in Scotland. Other

Scotch measures are promised in the Speech, but are not specified. Amongst those measures, I myself should wish to see one for the amendment of the Law of Entail, and another dealing with the vexed and vexing question of game.

Sir, I think that I have now touched upon most of the more important topics of Her Majesty's Gracious Speech. Some of us, perhaps, might have desired in the Speech at the beginning of the Session some mention of other public questions in which the country is greatly interested. But we must consider the circumstances in which we are placed—circumstances which, in my humble opinion, appear to preclude the Government from touching many things with which they might have wished to deal, and with which, in due time, they probably will deal. May I be permitted to call the attention of the House to some of those circumstances? Some short time ago a great Minister, of the highest Parliamentary reputation, surrounded by Colleagues worthy of such a Chief, found himself in circumstances of considerable embarrassment, arising from the fact that he possessed a majority of only 65 in the House of Commons. Accordingly, he and his Colleagues determined—no doubt after the gravest and most mature deliberation—to dissolve the late Parliament; and they also considered it part of their duty to make that dissolution an elaborate surprise. It was obvious that the right hon. Gentleman, the late Prime Minister, by the Dissolution and by his manifesto, was determined to astonish the country. The country, not to be outdone, seemed also bent on astonishing the right hon. Gentleman. After the waste of two months of Parliamentary time power has been transferred from the hands of the right hon. Gentleman opposite to those of his rival now on the Treasury Bench. The Advisers of the Crown, instead of having the usual six or seven months in which to prepare the legislation of the coming year, have been compelled to enter upon the administration of offices to which some of them are new, to organize the business of the Session, and to meet Parliament within the space of three weeks. The tactics of the right hon. Gentleman have taken away from Her Majesty's Government six-sevenths of the time which is usually devoted to the preparation of legislation, and one-

*Sir William Stirling-Macrow*

third of the time usually devoted to carrying that legislation into effect. Under these circumstances, Sir, I think that Her Majesty's Government has exercised a wise discretion in not making its programme too wide or too ambitious, and in acting upon the advice addressed to his own Colleagues and friends some few years ago by a distinguished Member of the late Cabinet, when he warned them to limit the number and bulk of the vehicles which they proposed to drive abreast through Temple Bar. If ever there was a body of Gentlemen who may be said to have had "greatness thrust upon them," it is the present occupants of the Treasury Bench. A few weeks ago they were preparing for the familiar work to which they were so much accustomed upon the left-hand side of the Speaker's Chair; but now here they are addressing themselves to still more arduous duties on the right. Their party and friends are no doubt glad to see them where they are. We are happy to see our political principles once more in the ascendant; but our natural feeling of gladness will not, I hope, rise into undue exultation. We must never forget the great obligations under which we lie to the right hon. Gentleman opposite and his Colleagues for helping to place us where we are. We must remember that our majority, such as it is, and considerable no doubt as it appears to us, is still below the modest minimum of 65, which was lately so contemptuously discarded. We must also remember that Parliamentary history is mainly made up of the rise and growth of majorities, and also of their decline and fall. There can be no doubt that the Liberal party will very shortly emerge from the not very profound pit which, carefully prepared for its opponents, has become the temporary resting-place of that party and its leaders. I hope that I am not taking too great a liberty when I express the satisfaction with which I have heard that the right hon. Gentleman, of whom the House of Commons is so justly proud, the Leader of that party, is not going to withdraw from his leadership. The right hon. Gentleman has been an eminent Member of many Parliaments. He has enjoyed the personal respect and esteem of both parties in all the Parliaments in which he has sat; and we might easily blot

from the records of his career all mention of measures, which he has passed and has aided in passing, which are still matters of party controversy, and yet leave a catalogue of public services such as few men have been able to render to the State, and such as we all must acknowledge to have been great. As to the right hon. Gentleman the First Minister of the Crown, I am sure that all his party must congratulate him upon acceding to his present position. Enjoying, as he does, the goodwill of the House, I feel sure that the whole House wishes him to enjoy health and strength to fulfil his important duties. Some of us have had the advantage of seeing his bearing under all those vicissitudes of political fortune incidental to a party leadership which has lasted longer than any other chronicled in the annals of the House of Commons. We have seen him in place and out; in majorities and in minorities; on this side of the House, and on the other; every change affording some fresh evidence of the resources of his genius. Six years ago we saw him retire from the post he now holds—after a brief and troubled Administration, defeated, decisively and signally, but neither dismayed nor cast down—and calmly and cheerfully resume the labouring oar of what to many men might have seemed a hopeless and thankless Opposition. Sir, he has to-night received the reward of his constancy, his patience, and his courage. As his triumph and that of his Colleagues have been great; and great also and notable, I am sure, will be the practised skill and noble moderation with which that triumph will be used for the benefit and service of their country. In conclusion, I have only to thank the House for the kindness with which it has listened to my remarks. The hon. Baronet concluded by moving—

"That an humble Address be presented to Her Majesty, to thank Her Majesty for the Most Gracious Speech delivered by Her Command to both Houses of Parliament:

"Humbly to thank Her Majesty for informing us that Her relations with all Foreign Powers continue to be most friendly, and that Her Majesty's influence arising from these cordial relations will be exercised for the maintenance of European peace and the faithful observance of international obligations:

"To assure Her Majesty that we rejoice to learn that the Marriage of His Royal Highness the Duke of Edinburgh with the Grand Duchess Marie Alexandrowna of Russia is a source of happiness to Her Majesty, and to unite with Her Majesty in welcoming it as a pledge of friendship between the two Empires :

"Humbly to thank Her Majesty for informing us that the War with the King of Ashantee has terminated in the capture and destruction of his capital, and in negotiations which, we trust, may lead to a more satisfactory condition of affairs than has hitherto prevailed on the West Coast of Africa :

"Humbly to assure Her Majesty that we rejoice to learn that the courage, discipline, and endurance displayed by Her Majesty's Forces together with the skill and energy evinced in the conduct of the expedition, have maintained the traditionary reputation of the British Arms :

"Humbly to assure Her Majesty that we join in Her Majesty's regret that the drought of last summer has produced scarcity amounting to actual famine in some parts of Her Majesty's Indian Empire, and that we learn with satisfaction that Her Majesty has directed the Governor General of India to spare no cost in striving to mitigate this terrible calamity :

"Humbly to thank Her Majesty for informing us that the Estimates for the services of the approaching financial year will be forthwith submitted to us :

"Humbly to thank Her Majesty for informing us that Her Majesty has issued a Royal Commission to inquire into the state and working of the recent Act of Parliament affecting the relationship of Master and Servant, of the Act of 1871, which deals with offences connected with Trade, and of the Law of Conspiracy as connected with these offences, with a view to the early amendment of the present law on these subjects, if it should be found necessary :

"Humbly to assure Her Majesty, that we will give our earnest consideration to the measures of public usefulness which may be presented to us, and that we fervently join in Her Majesty's prayer that the Almighty may guide our deliberations for the welfare of Her Realm."

MR. CALLENDER said, he must claim for himself that consideration which the House always extended to those who had the honour of addressing it for the first time. He did so, not as a mere matter of form, more particularly as he felt that no small responsi-

bility had been placed upon him in being selected to follow one who was no stranger to Parliamentary procedure, and whose re-appearance in the House had been so cordially and heartily and deservedly welcomed. The announcement that they were at peace with all the world, and were likely to continue so, was at all times a source of satisfaction, especially so as during the last year no treaty had been infringed, no arbitration had been given against us, and no other indemnity had to be provided out of the taxes of the year. The House would, no doubt, cordially approve a line of foreign policy which was based upon the fulfilment of international obligations, the observance of which was the best guarantee for lasting peace—obligations which we were bound to observe by honour, treaty, and duty, and the ignoring or neglecting of which would lead to national misfortune and disgrace. The union of Royal personages was no longer a matter of mere State-craft. The anticipations of great commercial advantages arising from them, such as at one time influenced public opinion, had long since been found to be illusory, as they often proved rather the cause of discord and enmity than of unity and strength. But the marriage of a son of England had far more important grounds of universal interest. That divinity which hedged in the Tudor monarchs, which kept them aloof from their subjects, and which had not been unknown in later days, had happily found no place in the mind or actions of that gracious Lady who holds sway over the affections, even more than over the persons of her subjects. On all occasions Her Majesty had shown her interest in everything which affected the public welfare, and the hour which brought a new daughter to add to the joy and happiness of the Royal Household, the union which cemented two great Families, was a fitting occasion for the House to offer to the Sovereign an expression of their respectful sympathy and hearty congratulations. Might we not hope, that the calm and brilliant day which welcomed Her Royal Highness to the shores of her adopted country might be a harbinger of her future life—bright, joyous, and sunny—and could we form any better wish than that she might ever inspire and receive the affectionate loyalty which all classes of society so heartily paid to every member

of the illustrious Family with which she was now connected? The skill of Sir Garnet Wolseley and the courage and discipline of the forces under his command had brought to a successful termination the "unhappy war on the Gold Coast," and the ability of the General and the valour and discipline of his forces could hardly have been put to a more severe test or accomplished a more complete result. His hon. Friend had alluded, in eloquent terms, to the achievements of our forces, and he would only draw attention to one circumstance which had not been referred to. A mere handful of men, somewhere, he believed, under 1,800, had marched 100 miles in a tropical climate, overcoming the dangers of pestilence and war, and successfully encountering in many skirmishes and in two pitched battles an enemy to be numbered by tens of thousands and favoured by every advantage of position. They were now on their homeward voyage, and the whole of this had been effected in the short space of one month from the landing of the expedition. Without disparaging former services of our forces and with a full assurance that on any future occasion our Army and Navy would be found adequate and prepared for any duty to which they might be called, he ventured to think that no work could compare with this for brilliancy of conception and completeness of execution. Our rejoicing on the success and safe return of our forces would have been largely increased had we received the assurance of the completion of a treaty which would have served the interests of humanity and freedom, and perhaps secured for the future the safety of our native allies. In India a large district, comprising 30,000,000 or 40,000,000 persons, was exposed to the greatest calamity which could befall a nation—an evil immense, inevitable, and fatal. The Census Commissioners, without any anticipation of the coming calamity, had reminded us that, in depending on a single article of vegetable diet, the inhabitants of Bengal closely resembled the people of Ireland. In 1846-7 we had to deal with a population so close to our own shores that escape seemed no difficult matter for a large part of the population; private liberality was not stinted, and £10,000,000 of public money were expended, yet, in spite of all our public and private efforts, famine and

pestilence decimated the country. We had now to deal with a larger population, a wider district, and difficulties of transport which could hardly be overestimated. One of our highest Indian authorities, Sir Bartle Frere, stated last December at the Society of Arts that to multiply the difficulties of the Irish famine by five would give a very imperfect idea of what must at the lowest computation happen in Bengal; and this prediction had certainly not been falsified. We were told that a population of 3,000,000 would have to be supplied with their daily food for many months to come, but it was significantly added that the condition of a large part of the population had not yet been reported upon, and it must not be forgotten that this was the optimist view of the official mind, private accounts from all sources giving much more appalling details. We heard in one district of 85,000 famished and emaciated people wandering along the highways, and it was computed on good authority that 100,000 were in imminent danger of starvation. Deaths from famine had already been recorded, and its extent and severity were rapidly increasing. This was not the time to discuss the wisdom or efficiency of the measures already taken. Time would show whether it would not have been wise to prohibit the exportation of grain, and whether efficient means of transport could have been prepared in due time. It was a satisfaction to be informed that the Government had instructed the Viceroy to spare no cost in mitigating the calamity, as also to know that the interests of our vast dependency were intrusted to a Minister who knew how and when to act with promptitude and decision. Whether the Government might suggest a grant from the Imperial Treasury, or the guarantee of a loan to be raised by the Indian authorities for the direction and extension of public works, the House, he felt confident, would cordially support any measure, provided it was speedy and efficacious. Considerable surprise had been expressed at the course taken by those great Northern towns which were so intimately connected with the commerce of our Indian possessions, and he wished to state that their action had not been dictated by any feeling of parsimony or indifference, but by a desire to know what steps the Government proposed to

adopt and to supplement to the greatest advantage any measure on which the House might determine. A meeting, which he thought had been too long delayed, was held yesterday in the city which he represented (Manchester). It was presided over by the Mayor, and was largely and influentially attended, more than £2,000 being subscribed at the time, while he had no doubt the fund would reach a sum commensurate with the wealth of the city and the importance of the object. He hoped that when the present calamity had passed away attention would be directed to the prevention of these frightful visitations, five of which had happened in India during the last 12 or 14 years—4,000,000 human lives having, it is said, been sacrificed. It was surely the province of the Government to care for the preservation of human life, and we ought not to be so entirely unprepared for an emergency like this. Owing to political circumstances to which his hon. Friend had adverted, the measures to be brought before the House were comparatively few, but they were of special importance, particularly what were called working men's questions, though in using that term he would guard himself from being supposed to imply that they would not affect and be equally beneficial to all classes of society. The delay and cost in the transfer of land had long been a just cause of complaint, greatly injuring that large and increasing class who desired to find a safe and profitable investment for their savings. Any measure simplifying and cheapening the system would promote health by encouraging the building of better dwellings, and would be Conservative in the best sense of the term by giving a larger number of persons an interest in the welfare of the country. The proposal to apply to Ireland the Judicature Act of last Session—contemplated, he believed, by the late Government—was a just and necessary sequence of legislation cordially approved by the highest legal authorities. No question was of greater importance than that affecting capital and labour, referring especially to the Master and Servant Act and the Law of Conspiracy. The working classes alleged, and he believed justly, that these laws, the remains of barbarous and obsolete enactments, interfered with their independence and caused many cases of hardship, and with

*Mr. Callender*

remarkable unanimity they demanded that legislation should take a different course, and that the common law of the land should regulate all such matters. So far from the appointment of a Royal Commission being intended to delay or impede a speedy settlement of these questions, he believed it would have a contrary effect. A Commission enjoying, as this would doubtless do, the confidence of both parties, would be able to sift evidence and form a public opinion which he hoped would insure a speedy and lasting solution of the question. The value of Friendly and Provident Societies had been greatly impaired by legal incapacities. Any measure which rendered the present system more secure and involved only the minimum possibility of loss would no doubt be hailed with satisfaction. He would venture to express the opinion that the present time was most favourable for discussing and bringing to a settlement these and other kindred questions. The Government, possessing the confidence of the country, with a large majority in both Houses of Parliament, and untrammelled by pledges, commanded advantages which few of its predecessors had enjoyed; and there could be no doubt that every Member of the House would most cordially promote any measure that would improve the health, gladden the homes, stimulate the activity, and maintain the independence of those great industries which formed so large a part of the intelligence and added so much to the wealth and greatness of this country. The hon. Member concluded by seconding the Motion.

Motion made, and Question proposed, "That," &c. [See page 62.]

MR. W. M. TORRENS, in moving an Amendment, at end of sixth paragraph, to add the words,

"Conscious of the obligation of Parliament to take especial care of the condition of India, we desire to assure Your Majesty of the interest and anxiety with which we shall be ready to consider any measure that may be brought before us tending to mitigate the distress which now prevails in that portion of the Empire, and to avert such calamity in future."

said, that concurring as he did in nearly all that had been said by the hon. Gentleman who had just sat down (Mr. Callender), and not desiring to take exception to any statement in the Address which had been moved, he nevertheless



ventured to ask the House to hear a few words in addition, which it appeared to many hon. Gentlemen around him would not be inappropriate on the present occasion. They had to deal with a great and unusual exigency. The largest and most populous part of the Queen's dominions was threatened not merely with dearth, but with absolute famine; and those charged with the administration of affairs had not concealed from the Government, and the Government had not concealed from the public, the pressing nature of the difficulty and the danger. He was one of those who in former Parliaments had frequently and earnestly sought to direct attention to the condition of India, and had endeavoured with others more competent to do so, to anticipate something of the evils which had now arisen. Without casting stones behind, without laying blame anywhere, or lowering that question to the level of party politics, he would venture respectfully to say both to the old and the new Members of that House, that it would be of evil augury for the credit of that Parliament if a day were allowed to pass without an audible and intelligible expression of their united opinion that more attention and care than ever was necessary to save India from the recurrence of such grave calamities. He was old enough to remember that their predecessors on those benches had been brought face to face with another terrible exigency in another portion of the Empire. As he looked round him he could recognize the features of hardly a score of those now on that (the Opposition) side of the House who sat in the Parliament of 1847. They were then led by a man of great experience, integrity, and courage, to whom none need object to be compared; and on the first day of the Session in that former Parliament, when famine threatened a large portion of the people of Ireland, Lord Russell did not hesitate to ask the House to assent to an expression of its utmost interest and anxiety in the adoption of measures not only for the alleviation of famine, but for its prevention in future. There then sat in that House the late Sir Robert Peel, whose opinion he wished to recall, as to what it behoved Parliament to do with famine looking them in the face. So far from congratulating himself that subscriptions of a few thousand pounds in

the capital of Lancashire and other sums in other towns of the Empire had been collected; so far from looking merely to the raising of money by loan—as he understood from his noble Friend the Under Secretary for India it was intended to do in this case—to alleviate the pressure and provide the means of relief through public works; so far from thinking that such a resource might be relied on and that then the country might slumber in security, Sir Robert Peel stated that—

“The first object to which we ought to direct our attention is, the restoring to its natural state the relation between labour and those who employed it. When there are 430,000 persons employed in Ireland by the State, at the enormous expense of £158,000 a week, it is clear that something should at once be done. We should endeavour to direct this labour first to the immediate cultivation of the soil, in order that we may have the prospect of a future harvest; and then, when this prospect shall be tolerably certain, to the permanent improvement of the soil.”—[3 *Hansard*, lxxxix. 161.]

That was the statesmanlike view urged by the late Sir Robert Peel on Parliament, and which was afterwards followed up by legislation, in order to avert the recurrence of shame and peril. With great respect, therefore, he would now say it was their duty to set about those things in respect to India. Let no man imagine that they could afford, even on selfish grounds, to let the people of India starve to death by millions. It would be a disgrace to a great Empire, revealing in untold and unexampled wealth, and with no foreign war or domestic trouble, to shrink from the performance of the sacred duty of endeavouring to redeem the past and to justify before the world the assumption and the retention by force of our sovereignty over 200,000,000 of people. Therefore, he thought they might with propriety add to the Address some words to the effect he had already stated. As the Address would become part of the proceedings of the House, he thought it would not be presumptuous if an individual on that (the Opposition) side of the House should make a proposition of the kind. He had no doubt of the disposition and the high and honourable ambition of the new First Minister, who, he cordially hoped, would act in a manner worthy of his position. That right hon. Gentleman was, no doubt, about to tell them something of his policy and intentions. The long-anticipated day had come at last when

the right hon. Gentleman would speak, and they should hear him; and believing as he did that it was most essential for the honour of the Minister, as well as for their own, that his policy should be strengthened and fortified by a declaration that that House was ready to do anything in reason to relieve India from her miserable plight, he wished to see such an addition made to the Address as he had suggested. What was the conduct of the Government of Earl Russell in 1847? Why, not content with merely providing loans, a Motion was immediately submitted to the House to waive the Standing Orders for the purpose of abolishing for the time being the Navigation Laws, which stood in the way of the importation of cheap food into Ireland. There was not an hour lost in hesitation by the Government, but they at once proceeded to deal with measures of legislation. The late Secretary for India had told them the perils that were impending over that country. They had heard much on questions of Indian finance and trade, they had seen Gentlemen who were high authorities on these subjects, some no longer here, but some still in their places, who had directed their attention to these things. The dreadful consequences of famine it was impossible to exaggerate. It meant the loss not only of the present crop, but of one or more future harvests. It meant the wasting away by disease of untold numbers of the population beyond those who actually starved. It meant a stampede of large numbers of the native population from their homes. In Ireland the last famine was followed by three years of dreadful disease and suffering, and all those things the history of British India showed would take place if a great effort were not made by that House, supported, as he well knew it would be, by public opinion out-of-doors. They had elsewhere heard the policy of the Viceroy denounced, which had, it was said, tended to make food scarce. They had a right to ask what was the judgment of Ministers on that question. Was it not also a fact that the duty on salt in India was a matter of a very serious character, salt being an article of as much importance as rice? And what, again, was the state of things with respect to the export of food? What he asked the House was, whether it could

*Mr. W. M. Torrens*

not put aside other business in order to deal with such questions, and to show how real and earnest was the interest it took in the affairs of India? Time was when the East India Charter left a Joint Stock Company to govern Bengal as they liked, but in 1858 the Ministers who now sat on the benches opposite advised the Crown to assume the government of India, and the Queen issued a Proclamation, which spoke gracious and promising words to her subjects in India, assuring them that they should have the same care and the same justice as was enjoyed by her people in England. Had Parliament acted up to its responsibility? For his own part, he wished the Crown to feel as proud of its administration of the dependencies of the Empire as of its home government; but it would be the merest affectation to pretend that that pride could be legitimately claimed for it in a country which had seen Pagan, Moslem, and Mahratta works designed for the collection of rain for purposes of irrigation left to go to ruin under British indifference and neglect. India was perfectly tranquil now. There was nowhere any sign of discontent, or of sedition; and there could therefore be no excuse for any perpetuation of hard treatment of the population in their present misfortune. When they had done in India all they could do, when they had restored reproductive works and made the soil as prolific as it might be—and when they had ceased to levy fifty per cent of the produce of the land in the shape of land tax—to defray civil and military charges to the amount of millions annually—money raised in India and spent in England—when they had done all this, and when they had cut down their home charges to a reasonable amount, they might talk with a clear conscience of causes of distress which were beyond their control. Meanwhile it was the bounden duty of a Christian Legislature to put on record its views upon a matter so important, and to prove its sincerity in desiring to relieve such a terrible calamity. The hon. Gentleman concluded by moving his Amendment.

MR. RICHARD seconded the Amendment.

Amendment proposed, at the end of the sixth paragraph, to add the words—

"And that, conscious of the obligation of Parliament to take especial care of the condition of India, we desire to assure Your Majesty of the interest and anxiety with which we shall be ready to consider any measure that may be brought before us tending to mitigate the distress which now prevails in that portion of the Empire, and to avert such calamity in future."  
—(*Mr. Torrens.*)

Question proposed, "That those words be there added."

MR. GLADSTONE: Sir, the House will, I am sure, forgive me—and I may ask for your forgiveness—if I forbore to rise from my seat until the words of the Question had actually passed from your lips; because I felt it was possible that other Gentlemen, Members of this House might think fit to follow the example which was set by my hon. Friend the Member for Perthshire (Sir William Stirling-Maxwell), the Mover of the Address, and question the conduct of the late Government in advising Her Majesty to dissolve Parliament; and I was not only desirous, but considered it my duty to give an opportunity, so far as lay in my power, for any observations of that kind, believing that, inasmuch as I must of necessity bear, not indeed the exclusive, but a special responsibility for that advice, it would be convenient and advantageous to the House that I should hear the criticisms made on our conduct, which any hon. Member might desire to make, before I took notice of the subject. As the immediate question which has been submitted to the House is not the adoption of the Address, but an Amendment to it, I will in the first place say a few words with respect to that Amendment, and I am sure my hon. Friend the Member for Finsbury (Mr. W. M. Torrens) who has proposed it will admit that we approach, at some disadvantage, the consideration of words which have been heard for the first time from the Chair in a debate of this character. Listening to those words as read by you, Sir, I can have no doubt that they do the greatest credit to the humane sentiments of my hon. Friend the Member for Finsbury. He is not satisfied with the statements of the Speech, but desires, if I gather rightly the purport of his Amendment, to have a more emphatic repetition of the sentiments suggested by the Speech, or contained in the Address which has been moved and seconded. In that Address

we are called upon to express the regret with which we have heard of the calamity in India, and the satisfaction with which we learn that measures have been adopted without reference to the cost, for the purpose of mitigating that terrible calamity. We are also called upon, in the closing passages of the Address, to assure Her Majesty that we shall give our careful and earnest consideration to all the proposals which may be made to us by Her Majesty's Government in relation to the subjects mentioned in the Speech. Well, Sir, that being so, it is matter for the Government to decide whether it will be necessary or politic for us to proceed on the present occasion beyond these assurances. For my own part, I feel bound to say that I do not think insufficient provision has been made by the terms of the Address, as it stands, on the subject of the Amendment. At the same time, should it be the view of the Government that this more emphatic language should be used—even though it may seem to savour of tautology—I certainly should not be the man to rise and object to its adoption on a question of this character. But this, I must, however, observe in passing—that it cannot be the object of my hon. Friend, or of any other hon. Member of this House, through the medium of words introduced by way of Amendment into an Address in answer to a Speech from the Throne, in any manner to commit the judgment of this House, or to bind it to adopt any particular course, with regard to the calamity of the Indian Famine. It must be understood, I think, on all hands, that if the Government deem it right to adopt the Amendment, they will be doing so simply by way of giving further assurance of the strength of our feelings on the subject to the Sovereign, and not by way of asking for an expression of our judgment with regard to any proposals which they may hereafter make—an expression which, it seems to me, would be somewhat hasty and premature, and for which I do not suppose my hon. Friend the Member for Finsbury himself would now ask.

Now, Sir, I will refer very briefly to one or two points in the Speech, and I am glad to say that I have little, or almost nothing, to observe in the way of criticism. First, I will make refer-

ence to a subject which has been most becomingly touched on by the hon. Mover and Seconder—I mean the marriage of the Duke of Edinburgh with the Grand Duchess Marie Alexandrowna. It was my fortune last Session to make a proposal to the late House of Commons with reference to this marriage, and the House of Commons showed on that occasion a ready and zealous loyalty by making a becoming provision towards the support of the Royal pair. The union has now, happily, been solemnized, and I am bound to say that I believe there has been no case in the whole history of marriages, Royal or other, where the bride left a home more characterized by the strength and warmth of affection binding its inmates than that which the Duchess of Edinburgh has quitted. I only hope that in leaving an atmosphere so enlivened and warmed by domestic love, the Grand Duchess may find that she comes among a people not only ready to greet her on her first arrival with demonstrations of loyalty and interest, but so to surround her with every token of love, that in time she may come, not to forget, indeed, but scarcely to miss, all the attractions of that home which she has been content to forego for the sake of her illustrious husband.

We next come to the subject of hostilities in Africa, which have now been brought to a happy termination, and I am bound to say that I think it has been most becoming and judicious on the part of the Government to advise Her Majesty to refer in terms of marked approbation to the conduct of all those who have been engaged in vindicating not only the honour of the English arms on the West Coast of Africa, but likewise the interests of humanity at large. It might seem invidious, where all have served and all have done so admirably well, to draw distinctions. It has been every arm of the service and every rank of men who have thoroughly deserved the honour of the national name they bear. But, of course, in every case of this kind the responsibility of the commander is something special and exclusive, and I wish to say one word relative to the conduct of Sir Garnet Wolseley, inasmuch as there are many persons—chiefly, perhaps, out of this country—who can scarcely be expected to understand or be prepared to believe the

arduous nature of the task which was committed to the hands of that officer. This is not the time nor the place to enter into the details of that task, but I may venture very briefly to say that it included a combination of difficulties such as has rarely attended military operations even when they were on a far wider scale, and made far more ostentatious claims upon the interest and approval of the world, and that in no military operation, I believe, in the history of this country during the last half century—perhaps I might go still further back—have the results more completely corresponded with the aims of the commander or done greater credit to his sagacity. That task included difficulties of various kinds, and all of them presenting themselves in the highest possible degree. There was in the first place a want of information with regard to the circumstances in which any expedition into the interior would find itself, which, I confess, surprised the Government; there was a want of detailed knowledge of the country which had to be penetrated; there was a formidable danger arising from the climate, with regard to which we were not able, till Sir Garnet Wolseley reached the coast, to tell whether we should be justified, under the circumstances, in exposing the lives of Her Majesty's subjects by a march to Coomassie; and lastly, the whole of these formidable difficulties were complicated by a limitation of time so strict that the smallest error of computation on the part of Sir Garnet Wolseley must necessarily have led to consequences which the House would have regarded with the deepest pain and anxiety. It is right that I should here say a word with regard to a subject which has been touched from time to time during the discussions which have occurred during the recent elections with regard to the conduct of the Government. It has been maintained that the military operations undertaken by Sir Garnet Wolseley ought not to have been sanctioned by the Government without the consent of Parliament. Now, some may think it was on account of the limited scale of those operations that we did not deem it fit to advise Her Majesty to call Parliament together for the consideration of the subject. That would be an entire error. It is perfectly true that the scale of those operations was a very limited

one, but it is also true that the moment when we determined upon the despatch of several battalions to the West Coast of Africa, it would have been over-confidence, it would have been even rashness and presumption on our part to have assumed that the scale of operations contemplated at that moment was certain to prove adequate to the fulfilment of the objects we had in view. Therefore, it was not on the ground I have just mentioned that we refrained from taking the constitutional course of calling Parliament together for the consideration of the subject. It was entirely and exclusively on account of the question of time. I have referred to the limitations under which Sir Garnet Wolseley found himself as to time on his arrival. Had there been even a few days' delay, that boundary of time would have been passed, and a point would have been reached when it would have been most unsafe and unwise to expose our troops to the action of the climate. Had we thought fitting to recommend Her Majesty to summon Parliament, some time would have been lost in bringing it together, some time would have been lost in the consideration of the Papers we should have felt it our duty to lay before Parliament, and some time would have been lost also in the consideration of the Vote we should have had to propose. Although consisting only of small portions, the time thus spent would have so abridged the season available for military operations as to have converted a project which we thought to be warrantable and wise into one which I think it would not have been desirable for Parliament to sanction. Either it would have been necessary to postpone military operations for another year; and to endure a continuance of all the evils attending the actual state of things, or to expose our troops, not to risk only, but almost to the certainty of losses, which I am sure the House will appreciate our anxious desire to avoid. We were aware that we were taking on ourselves a great responsibility, and in a matter of which Parliament was always most careful; but we felt that the limitations of time were too urgent and too serious to admit of any different course being taken, and it was under the circumstances I have named we acted otherwise. Nothing can, as a general rule,

be more imprudent or more dangerous than that Government should be encouraged lightly to undertake military operations without the direct assent and approval of Parliament; but I believe that when the circumstances connected with the limitation of time are taken into consideration, the course we pursued will meet with the approval of the House.

Now, with respect to the paragraph of the Speech which touches on the subject of the Indian Famine I will only express my hope that when the House comes to consider the facts of the case, whether in conformity with the Amendment of my hon. Friend, or in conformity with the terms of the Address—and the measures which have been adopted by the Governor General of India and by my noble Friend who lately held the seals of the India Department, they will find that not only has there been no indifference and neglect, no want of a due appreciation of the gravity of the emergency, but that every means has been taken which could properly be adopted for the mitigation of a very grievous calamity.

Sir, I shall venture here to pass a few words of criticism on the paragraph of the Speech which refers to the recent Act of Parliament affecting the relations of master and servant. I do not intend to give any distinct or positive opinion upon that paragraph. I must confess, however, that I entertain a doubt as to the wisdom of the course which has been pursued in advising Her Majesty to issue a Royal Commission instead of bringing the subject, as circumstances might admit, under the consideration of Parliament. This is a matter which touches in the nicest and most intimate manner the feelings of classes which are placed in the closest daily relations of goodwill or conflict, as the case may be. In this House the people of the country are accustomed to repose perfect confidence, and I greatly doubt whether a Royal Commission can from its nature command the same kind and amount of confidence as the House must ever obtain. Moreover, I am certainly not aware that there is anything so difficult or complicated in this matter as to make it necessary to pursue the course which is now proposed. We have had on former occasions a most accurate investigation of the facts, the documents on the sub-

ject have accumulated in enormous proportions, and I should certainly have been glad if it had been possible for Her Majesty's Government to act on their own responsibility in the matter.

And now a few words upon the reference which has been made by my hon. Friend to the late Dissolution of Parliament. My hon. Friend (Sir William Stirling-Maxwell) has not adverted to a variety of objections which have been taken here and there in the public journals or in speeches connected with the elections to the advice which was given by the late Ministers, and I certainly will not occupy the time of the House in meeting objections that have not now been raised. I will address myself directly to the point urged by my hon. Friend, and it seems to me that he has opened a field which is considerably wider than we are usually called upon to enter in the discussion of such questions. I congratulate my hon. Friend upon the opportunity he has obtained for displaying his great powers, and amongst others, his powers of sarcasm, but I am by no means certain whether he is equally to be complimented upon the prudence of that course, or upon the precedent which now, for the first time, after a series of years, he has thought fit, so far as it depends upon him, to set. I am grateful to him for the kind terms in which he has spoken of me. I have not the slightest objection to the substance of his remarks, unless, indeed, as being connected with the rather responsible office of Mover of the Address. I think that that question is one most fairly to be raised, and I will address myself to it from that point of view in which he presented it to the House. I think that there was one observation in which he was not so happy as in the rest, and that was with reference to his own Friends among whom and behind whom he sits, for he described it as a lamentable waste of time that we should have lost the weeks between the 5th of February and the 19th of March in transferring powers from a set of men whom he regards as incompetent and dangerous, to a set of men whom he regards as possessed of every title to his confidence and to the confidence of the country in the work of legislation. I certainly cannot avail myself of what I should have thought was the more natural position of my hon. Friend. I

should have thought he would have said that "there has been a loss of six weeks"—which by some process of arithmetic which I do not understand, he says is the loss of one-third of the Session—"in connection with the change of Government, but the advantage of having a sounder and more trustworthy Government installed, entirely diminishes any regret which I might otherwise have had." I think I am now making for my hon. Friend, in this point of view, a rather better case than he himself presented to the House. But, Sir, my hon. Friend says that the late Government dissolved the Parliament because it had only a majority of 65; and he very properly observed that, according to repute, the majority of the present Government does not quite attain that figure. He said that it does not reach—I think he used the expression—the despised minimum majority of 65. My hon. Friend seems to think that there is but one important element in the position of a Government, and that is the numerical amount of its majority. Now, upon that point I join issue with my hon. Friend. I think he fundamentally misunderstands the Constitution of this country, if he supposes that the actual majority that a Government may possess in an existing House of Commons is sufficient to give it more moral and political strength for the discharge of its arduous duties, after it has become apparent or when it is becoming clear that the possession of that majority is not agreeable to the sense and the convictions of the country. Now, Sir, there is the whole difference between my hon. Friend and myself. We have seen in other countries at former periods—I will not speak of the present—too much reliance placed upon a Parliamentary majority. There was a magnificent majority in France in the years 1847 and 1848. That majority was relied upon, not only by a Ministry, but by a Dynasty, and that reliance was continued so long that at length the legitimate event of an election being denied, the popular dissatisfaction burst through its bounds, and what in this country would have been a Ministerial crisis ended in a revolution. I do not think that we are in the habit in this country of carrying matters to such extremes. But why? Because in this country we watch the signs and currents



of public opinion. We recognize the general title of the country to be governed in conformity with its wishes and its intelligence; and the mere possession of a Parliamentary majority, satisfactory as it is when it is a true indication of the actual current of feeling and opinion of the country, is no adequate support and no adequate warrant for the continuance of a Government in office if it has become clear, or when there is reasonable ground for supposing that the desires of the country are in an opposite direction. I will endeavour now, Sir, to state broadly and strongly the propositions on which I think my hon. Friend has proceeded:—that the simple possession of a party majority entitles a Government to continue in office, irrespective of all other circumstances, until the day has come for the Parliament to naturally expire. None of these propositions apply to the late Government. I will tell my hon. Friend that, as far back as two years ago I observed to an intimate friend with whom I was in daily communication at the time when the indications of single elections in the country were becoming considerably marked that, if they continued to run in a similar direction, and to maintain a great degree of force, they must end in abbreviating the existence of the late Parliament. That was my opinion, and it was an opinion which, I think, warranted and justified the advice that we have given to the Crown. Well, Sir, it cannot be said by my hon. Friend, or by any one else, that a majority of 65—or whatever it may have been—it cannot be said the Government of the Queen possessed any exuberant strength during the late Session of Parliament, or that at its close its condition and its relation to the House was entirely satisfactory. I must now refer, not for the purpose of controversy, but simply for the purpose of history, and in justification of my own conduct, to a circumstance which bears materially upon the case, though it has not been observed upon by my hon. Friend. It is the duty, as I hold, of the Administration in this country never to continue to carry on the business of the country unless it is convinced that it is possessed of the strength necessary for carrying it on with dignity and with credit. That is a duty never in abeyance; but ordinarily when a Government finds that it does not possess that

adequate and necessary minimum of strength, there are two alternatives before them. It may advise a Dissolution, or it may tender a resignation of office. Under the circumstances of last year we did not possess that choice of alternatives. We knew that in the late Parliament there was not a party ready to take our place to administer the affairs of the country. After what had occurred in the Spring it was not in our power to place Her Majesty in the position in which she would have been compelled again to call upon the Party opposed to us to undertake the administration of the affairs of the country, for that had been done once before, and, I do not say whether rightly or wrongly, had been refused. That being so we had no alternative to consider except the question of Dissolution. Well, then, how did we stand with respect to the course of affairs in the Recess? If hon. Gentlemen, and especially my hon. Friend, will examine the course of the elections during the Recess, they will find that until the close of last year those elections were not very unequally balanced. There were in the months of October, November, and December nine elections of Members of Parliament. Three supporters of the Government were returned without a contest. There were six contests for seats in the House of Commons, and of those six, three were won by the Government and three were won by their opponents. There was nothing of a very formidable character in those elections taken as a whole. In the beginning of January, however, things began to assume a more or less critical and adverse aspect, and I think it was impossible for us to put out of our view the indications of opinion given by the single elections in that month. There were in the first few days of that month two vacancies which were at once occupied by Members of the party opposite without contest. A third vacancy occurred in the borough of Stroud—a stronghold of the Liberal party, where the Liberal candidate was defeated by a large majority. The fourth vacancy occurred in Newcastle, where the Liberal majority had been enormous, and there the Liberal candidate carried the seat, but it was a doubtful contest. Moreover, two more vacancies immediately afterwards occurred, with respect to which it was clear that

they would go as the two opening vacancies of the month had been disposed of, and undoubtedly the position of the Government, so far as it could be estimated by single elections, was very considerably worsted in the month of January. But it was only at that time that we were in a position to judge of the important measures which we should have to propose with reference to one of the greatest departments of administrative and legislative duties—I mean with reference to the finances of the country, for it is not until the fourth quarter of the financial year that, compatible with usage or compatible with safety, an estimate can be safely formed as to the finances of the coming twelve months. It was then found that we had an immense surplus with which we would have to deal. From the time when I assumed the office of Chancellor of the Exchequer in the summer I had entertained the hope that it would be in our power to propose the abolition of the income tax. Circumstances would not have warranted our making the proposal at that time; but in the month of January we saw that we should be enabled to make what we thought would be the greatest and most beneficial propositions of finance to the country that it had ever been our lot, I may say, to submit. But we saw, likewise, that those propositions would require the possession of considerable authority, and we felt that, under the circumstances of the time, we did not possess that authority. It was not, therefore, from the theatrical motive which my hon. Friend was kind enough to impute that we disturbed the ordinary course of business by a Dissolution. It was upon that careful comparison of the work we had to do with the strength we possessed for doing it, that we arrived at the conclusion which my hon. Friend says surprised him—a surprise which I do not think was exclusively felt on his side of the House. For that advice we are responsible. We do not repent of having given it. We think that if any justification is required for having advised a Dissolution, the justification is to be found in the result. I do not investigate causes. I will not ask to what combination this change is due. I can look, constitutionally, at nothing except the voice of the constituencies represented as an aggregate in the returns to Parliament. So regarding them, and avoid-

*Mr. Gladstone*

ing all invidious analysis, I point out that a greater number of seats has been transferred from the one party to the other in the late General Election than has been transferred upon any single occasion since the critical years 1831-1832, more than 40 years ago. And, Sir, although I cannot pretend not to wish it were otherwise, and although, while wishing my right hon. Friend the Chancellor of the Exchequer all imaginable good luck with his finance, I cannot pretend to be as well satisfied at its being in his hands as in ours; yet, as an Englishman, as one attached to the institutions of the country, and as one who held an office which bound him to regard the principles of the Constitution, I cannot regret a Dissolution which has given to the people of this country an opportunity of pronouncing their opinion upon the conduct of affairs, though I think the judgment which has been passed is an erroneous one. Hon. Gentlemen opposite can hardly suppose that my satisfaction with the result of the Dissolution was likely to be absolute, and not relative. I am ready to go far, but I cannot consent to go quite so far as that in speaking of this result. We found that the suspicions we entertained, arising from a course of single elections, and gradually gathering strength, were confirmed by the actual results, and I do not regret a Dissolution—whatever its result to us, whatever its result for the moment to the party with which I am associated—which has given to the people of this country a constitutional opportunity of declaring what its convictions were with respect to the conduct of public affairs, and which has ended in a transfer of responsibility to those who are designated by public opinion as the favoured objects of their affection. I have thus far confined myself strictly to a reference to what has been said in the course of debate, and will not detain the House by touching upon any points which have not been particularly mentioned this evening. Of course, there will be other occasions for vindicating the line of conduct pursued by my Colleagues and myself. For the present I will only say one thing. The expression of opinion and the transfer of power which has lately been made have, I admit, been of a very emphatic character. An issue was most distinctly raised. It was raised, I admit, by us. It was

raised in the form which we thought most favourable to ourselves, as well as to the country. It was raised at the time which at any rate was fixed by us, and for which we are responsible. Presenting that issue in our own way, time and form, the constituencies have rejected our proposals. Under these circumstances I agree with my hon. Friend that the Gentlemen who have succeeded to power are not to be considered as if the change which has been made were the result—I will not say of any intrigues, but of any operations of their own. Their accession to power is the act of the country, and as it is the act of the country I feel that they have every title to be fairly tried in the exercise of power; that every factious objection should be avoided, that every fair opportunity should be given to them, that they should have an open space given them for the development of their plans and the application of their principles. In this way the country will be able to judge as to the wisdom of the choice it has made; and if it finds cause to approve that choice, the result of such approval will be a new term of power to the Gentlemen who now hold it. Should that be so, well and good; but if on the contrary, further consideration should lead the people of this country to a different conclusion, I have no doubt the constitution will be found ultimately to provide a remedy for any dilemma in which they may find themselves.

MR. DISRAELI: Sir, it will be gratifying to Her Majesty's Government that the objections to the Address, which has been moved and seconded with such great ability, have met with slight favour to-night. There appear, however, to be two points which have been urged against it which I will at once notice. The first refers to the passage in which we have alluded to the terrible calamity which now exists in parts of India. The hon. Gentleman the Member for Finsbury (Mr. Torrens) seems to think that our expressions with reference to this circumstance are somewhat imperfect; and he has moved an Amendment which, unluckily, is not before me, but the spirit of which, I think, I record with tolerable accuracy. I understand that my hon. Friend thinks we ought to call upon the House vaguely to pledge itself to do something which he does not define, in order to prevent the recurrence

of calamities like those we now have to contend with. My hon. Friend refers to the conduct on previous occasions of Ministers who were placed in similar situations, and particularly to that of Lord John Russell—an eminent statesman, of whom I shall always speak with respect—when he had to deal with an Indian famine nearly a quarter of a century ago. [Several hon. MEMBERS: No, with Ireland.] I thought the remarks of my hon. Friend applied to an instance in India of a similar kind, illustrating it by reference to what had occurred in Ireland; but I did not catch very accurately his expressions, as he spoke just then in a very low tone. The fact, however, is this—The hon. Gentleman says that Lord John Russell proposed the suspension of the Navigation Laws. Well, that I cannot do. But the hon. Gentleman says you can deal with the duty on salt. Now, the duty on salt has very little to do with the calamity with which we are now threatened in India. That is occasioned very largely by the imperfect means of communication existing in the country. I do not think, therefore, that to deal with the duty on salt would be a satisfactory remedy, or one which ought to be noticed in a Speech from the Throne, and in an Address from this House in answer to that Speech. Then the hon. Gentleman says—“Why not speak decisively on the subject of the export and import of food?” Well, that is a subject of grave controversy on which eminent men hold very different opinions, and I doubt the policy at the present moment of introducing any discussion of the kind. The hon. Gentleman says he has moved this Amendment with the view of strengthening the hands of Government. I confess for myself that Amendments of this kind never strike me as being a particularly felicitous mode of strengthening the hands of the Government. If they do not directly involve, they imply censure, while they purport to be friendly. I should say that my hands would be stronger if the hon. Gentleman were not to pursue the Amendment. It is extremely undesirable that at a moment like this there should be any difference of opinion in this House as to the policy which ought to be followed generally with respect to this great calamity. And I cannot help thinking that if the hon. Gentleman calls for a

division, the result would not be one which any candid mind could deem satisfactory. Now, the hon. Gentleman says we have called upon the House in only vague, and, apparently, to his mind, meagre terms, in our reference to this terrible state of things. I think the expressions used are adequate. They are not extravagant, but adequate to the occasion. They were expressions counselled by those who deeply felt the responsibility of their position upon these subjects, and who were deeply impressed with the great calamity which has affected an important part of the dominions of the Queen. The Under Secretary of State for India has given Notice that on the first practicable night of the Session he will submit an important Motion, bearing immediately upon the subject. That would be a convenient occasion on which the Government might express their general views as to the remedies which ought to be pursued, and it would also supply a convenient opportunity for hon. Gentlemen opposite to make any suggestion which may occur to them. I trust, therefore, that the hon. Gentleman will not persist in his Amendment. Another objection has been urged by the right hon. Gentleman who has just addressed us to another paragraph in the Address. The right hon. Gentleman regrets that we propose a Commission to inquire into the relations, and the various laws which affect the relations, between master and servant. That is a matter of opinion. It would be impossible on an occasion like this to go into the details which would be necessary to satisfy the House as to the course which, on the whole, we thought it the wisest and most expedient to pursue. But if the right hon. Gentleman or any other Member of the House supposes for a moment that we advised this paragraph in Her Majesty's Speech with the view of evading the difficulty, or of merely gaining time, I can assure him he is under a very erroneous impression. We did not take that step until we were convinced that the time necessary for attaining so great a public advantage as this investigation will furnish would not, in all probability, be of such duration as would prevent our legislating this year, if the investigation sanctions such a course, and if in our opinion such a course is necessary. Nor can I admit the position which the right

hon. Gentleman took up, that because for other reasons it may be advisable to recommend the Crown to issue a Commission to investigate a subject, the Government is bound and Parliament is tied down by the conclusions at which the Commission may arrive. The influence of that Commission, if it consist of men commanding the public confidence, would be considerable, but it would be a legitimate influence. But Parliament is not deprived of its proper functions because a Royal Commission is appointed on any subject. If we are to legislate, the matter is brought before this House, and this House will have an opportunity of giving its decision on the merits of the case. These are the names we have recommended to Her Majesty to adopt for this Royal Commission—the Lord Chief Justice of England, Lord Winmarleigh, Mr. Bouverie (long a Member of this House), the Recorder of London, Sir Montague Smith, Mr. Roebuck (a Member of this House), Mr. Goldney (a Member of this House), Mr. Macdonald (a Member of this House), and Mr. Thomas Hughes, a Member of the last Parliament. Those Gentlemen represent different political opinions, they are men of ability, experience, and learning, and several of them of a class not influenced directly or immediately by any controversy on the subject. I feel assured, therefore, that this Commission will possess the confidence of the country, and that they will really assist the Government and the House in arriving at a satisfactory conclusion. And, after all, we cannot legislate without an appeal to Parliament, and without the Members of this House having an opportunity of expressing their opinions. These are the only two points, I believe, on which objection has been taken to the Address which has been moved and seconded by my hon. Friends. I am glad that the House has indicated that they will agree to the Address and to many of the subjects therein referred to. I am glad that there are such sincere congratulations offered to the Crown upon the late Royal Marriage, which was first introduced to our notice under the Government of the right hon. Gentleman opposite. I think I may say, with perfect truth, that it is a marriage of pure affection between the children of two houses, in which, though Royal and

Imperial, the domestic principle is as much revered and cherished as in any home in Russia or Great Britain. With regard to the position of affairs in Ashantee, the right hon. Gentleman has raised a point which I would not myself have introduced, but as he has raised it I cannot leave it unnoticed—I refer to the conduct of the late Government in not calling Parliament together when that war commenced. It appeared to me as I listened to the statement of the right hon. Gentleman that there was a fallacy in the position which he took up—namely, that the summoning of Parliament involved the postponement for another year of warlike proceedings. I do not understand that to be so. I understand that the Crown, by the exercise of its prerogative, could have commenced and pursued the war when time was so valuable, and yet that Parliament might have been called together and Ministers might have explained the circumstances under which they advised the Crown to go to war; and no doubt from the circumstances peculiar to this case, Parliament would have given them the indemnity they required. It does appear to me that the position of the right hon. Gentleman, that the summoning of Parliament involved the postponement of warlike proceedings for a year, is not consistent with the principles of the Constitution, or Parliamentary practice. The war, however, has now been brought to a successful termination, and we are willing to give the right hon. Gentleman and his Government every praise for the preparations they had made. I certainly am not disposed to indulge in captious terms with reference to a subject which I, for my own part, would not have introduced. We must now look upon that war as concluded, and although anxiety may hereafter arise as to the consequences, I will not touch upon them now. I will only ask the House to join in the Address which has been proposed, to do justice to the spirit and energy of the eminent commander of the forces employed, and to the gallantry and endurance and admirable qualities which, by both officers and men, were signally displayed in an expedition, which, though not on a large scale, will, nevertheless, rank in the future among our glorious deeds of arms. The right hon. Gentleman occupied a great portion of his interesting

speech by a narrative, which, really, it is not necessary for me to follow. It must, no doubt, be peculiarly interesting to his friends; and he himself, in common with all men liking an opportunity for self-justification, had every right to avail himself of this occasion. But I will not follow him. I am not dissatisfied, naturally, with the result. I have an opinion on the matter myself, and I accept the constitutional view which the right hon. Gentleman has taken, cordially and cheerfully. I thought, however, the right hon. Gentleman was a little unfair on my hon. Friend the Mover of the Address (Sir W. Stirling-Maxwell). My hon. Friend the Mover of the Address is not in the position in which Movers of Addresses generally are. He has returned to a House in which he has sat for years, which he long adorned, and where he was respected by both sides. My hon. Friend, therefore, naturally took a more general view of the circumstances than those novices who gain their first laurels by a speech on the Address, and he seems to have made some general observations probably without consultation with anybody. Of course, in his position consultation would have been totally unnecessary. At the same time, I think the right hon. Gentleman opposite was a little ungrateful to my hon. Friend. I understood from the right hon. Gentleman that he came down to the House prepared to hear many observations from his own Friends and his own side in consequence of the policy he pursued in dissolving Parliament. But they were silent, and I must confess I admire their taste and feeling. If I had been a follower of a Parliamentary Chief as eminent as the right hon. Gentleman, even if I thought he had erred, I should have been disposed rather to exhibit sympathy than to offer criticism. I should remember the great victories which he had fought and won; I should remember his illustrious career, its continuous success and splendour, not its accidental or even disastrous mistakes. I think, therefore, the right hon. Gentleman scarcely did justice to the generous feelings of his Friends when he anticipated any criticism respecting the Dissolution to come from them. But it appears to me that if my hon. Friend who moved the Address had not touched on the subject there would hardly have been an opportunity for the

right hon. Gentleman to refer to it. Therefore, though on the whole the observations of my hon. Friend the Mover of the Address may have travelled out of the ordinary routine of speeches made on an Address, I think the House has not any cause to regret that they have been made, since they brought from the right hon. Gentleman so interesting a reply. I think I have now touched upon the very few points that it is necessary for me to notice to-night. The criticism from the hon. Gentleman the Member for Finsbury (Mr. Torrens) has not been considerable. I collect that the House generally approves the Address, and I hope, therefore, the hon. Gentleman will not persist in calling for a division on the Amendment, which I should certainly feel it my duty to oppose. The Address was brought forward with remarkable ability by my hon. Friend, and seconded by the hon. Member for the City of Manchester (Mr. Callender) in a mode which makes me hope it will not be the last time he will address the House. Under these circumstances, I trust the hon. Gentleman the Member for Finsbury will save us from a division, and that it will go forth that in the House of Commons there is perfect sympathy for the condition of India, and perfect unanimity in our resolution in every way to bring forward measures and adopt means by which the misery which now prevails in that country will receive all the assistance which it is in the power of Parliament to give.

MR. W. M. TORRENS said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn*.

MR. PELL desired, before the Question was put, to make one or two remarks on the subject of local taxation, which was not referred to in her Majesty's Speech. That subject, he trusted, would not be neglected by Her Majesty's Government. He hoped something would be done to remedy the injustice which many people believed they were labouring under, although, at the same time, he trusted the Government would not follow the example of the late Administration by imposing new charges on the owners of land and houses before disposing of the general question as to whether the balance were held evenly between the owners of personalty and the owners of realty.

Main Question put, and *agreed to*.

*Mr. Disraeli*

Committee appointed, to draw up an Address to be presented to Her Majesty upon the said Resolution:—Sir WILLIAM STIRLING MAXWELL, Mr. CALLENDER, Mr. DISRAELI, Mr. CHANCELLOR of the EXCHEQUER, Mr. Secretary CROSS, Mr. Secretary HARDY, Mr. HUNT, Sir CHARLES ADDERLEY, Mr. SCLATER - BOOTH, Viscount SANDON, Mr. ATTORNEY GENERAL, Mr. SOLICITOR GENERAL, Lord GEORGE HAMILTON, Mr. WILLIAM HENRY SMITH, and Mr. DYKE, or any Five of them:—To withdraw immediately:—Queen's Speech *referred*.

House adjourned at Eight o'clock.

## HOUSE OF LORDS,

*Friday, 20th March, 1874.*

MINUTES.] — TOOK THE OATH — Several Lords.

### NEW PEER.

John Robert Viscount Sydney, G.C.B., having been created Earl Sydney of Scadbury in the county of Kent—was (in the usual manner) introduced.

### QUEEN'S SPEECH — HER MAJESTY'S ANSWER TO THE ADDRESS.

THE LORD STEWARD (Earl BEAUCHAMP) reported Her Majesty's Answer to the Address, as follows:—

"MY LORDS,

"I SINCERELY thank you for your loyal and dutiful Address.

"It is particularly gratifying to me to be assured that you participate in My feelings on the Marriage of the Duke of Edinburgh, and in My reliance that by God's blessing this event may prove a source of happiness to Myself, and an additional bond of union between My country and Russia.

"I do not doubt that the measures which will be submitted to you will receive attentive consideration, and you may rely with confidence on My cordial co-operation in every effort to promote the welfare of My people."

### BENGAL FAMINE.

PAPERS PRESENTED (BY COMMAND).

THE MARQUESS OF SALISBURY: My Lords, I have to lay on the Table Papers respecting the Bengal Famine, and I think it may be convenient to



take this opportunity of making some observations with reference to the nature of those Papers in order that your Lordships may understand the principles which have guided the Ministers in presenting them; and I wish also to make a few observations with reference to the policy which is being pursued by the India Office and the Viceroy. These observations need not be long, because the public have been practically kept well informed of all the proceedings which have been taken, and have been put in possession of all the information at our command. Of course, the Papers in possession of the Department with reference to the famine, including all the reports from the first, are exceedingly voluminous, and it would be taxing too highly the patience of Peers and Members if the whole of those Papers were laid on the Table. We thought, therefore, that it would be a more judicious plan if we made a simple abstract of those Papers which had been received at the India Office in the early days before the famine actually broke out, and to lay that abstract on the Table. It contains the substance of all the despatches sent from India up to the beginning of February, and those which have been sent from India since that time will be laid on the Table in their entirety. Now, my Lords, I think some of the criticisms which have been passed on the conduct of the Viceroy deserve some notice from me, though I should very much wish it had fallen into better hands than mine to deal with them. The Duke of Argyll fully intended to be present at the meeting of Parliament, and to make a statement in reference to the proceedings of the India Office in the early days of the famine; but unfortunately he has been prevented by illness from appearing in his place in Parliament. I think the main controversy carried on with respect to the Viceroy's policy is as to the expediency or the reverse of arresting the export of grain by an act of the Executive power. As to this policy, it may be impugned under two heads. You may look at it as a mere question of finance, and consider whether the course taken was the cheapest that could have been taken; or you may look at it in a more important light, as part of the machinery of dealing with the famine, and inquire whether the Viceroy's policy has imperilled

the supply which could otherwise have been brought to the homes of the starving population. Only in the latter light can the question be looked at as very serious. As a question of finance—as to whether it would be cheaper to buy grain before it went to Calcutta rather than procure it as imported at other ports—I do not think it necessary to trouble your Lordships, because the point is one on which different opinions may naturally be held, and it is one of which the pecuniary importance is not very great. But as to the far more important question whether the Viceroy, by not arresting the export of grain, has imperilled the supply for the distressed districts, I think there is one thing that has been forgotten. It is that the grain which has been exported has not been exported from the districts which are suffering. It is true that grain has been exported from Bengal; but there is a large surplus crop in some parts of Bengal, and the difficulty has been, not to procure grain, but to bring the supplies to the homes of the starving population. No grain to speak of has been exported from Northern Tirhoot—our difficulty is to get the grain up there. What advantage, then, would it be to stop the export of grain from other parts of Bengal when the difficulty is to convey it from the stations of Eastern India to the Northern Districts where it is wanted? Therefore, I do not think this question has so important a bearing as is generally supposed on the difficulties with which the Government had to deal. For present purposes the supply of grain is abundant—the difficulty is one of carriage. Then, it must be remembered that while you would not have appreciably relieved your embarrassments by stopping the export of grain, you might have incurred considerable danger by such a policy; because the one terror which appears to have been before the Viceroy's eyes was lest he should paralyze the operations of private trade. If he had taken so violent a measure private traders would have been seized with a panic, and would have abandoned the idea of attempting of themselves to convey grain into these parts of the country, and the result would be that the real famine would be aggravated by an artificial one. At the beginning of the famine the Commissioner at Patna proposed to traders to take up grain to

the distressed districts. The reply was that they were not accustomed to it and did not understand it. They were accustomed only to export. I understand, however, that since then confidence in the prospects of such a trade has changed their feeling, and, as I have been informed, the private traders are carrying their stores to those districts, and that grain is by those means pouring into the distressed districts at a greater rate than that which is carried up by public agency, and amounts to nearly 2,000 tons a-day. So much for the more serious question. As to the question of economy, there is a great deal that may be said on both sides, and I will not discuss it; but there is another part of the Viceroy's conduct which has been questioned, and, as I think, inconsiderately. I mean his conduct with regard to the labour test. It has been supposed by some that this test is to be applied to persons unaccustomed to labour and to persons too exhausted to labour; and it has also been said that persons of education would be driven to undergo that degradation before obtaining relief. Now, I have here the Minute of the Viceroy on that point. It is among the Papers which I will lay on the Table. It bears date February 13, and I find in it this passage—

"In connection with this subject, I am to observe that where distress, as is the case there, arises from a general deficiency of the food supply of a large area of country, which deficiency cannot be met by private traders, stringent labour tests are not applicable. The labour test was tried during the earlier portion of the Irish Famine; it failed, and ultimately gratuitous distribution of cooked food was substituted. It was under the latter system, coupled with the sale of grain at market rates by Government, where private traders could not supply it, that the Irish Famine was at last successfully dealt with. The circumstances in India are not entirely similar, but it appears to his Excellency that, where they differ, the difference would point to an extension of the system of gratuitous distribution of food, and especially to the establishment of a system of advancing supplies of food to cultivators. When distress extends to whole classes of the population, his Excellency relies upon the local knowledge of the persons intrusted with the distribution of relief to prevent abuses."

My Lords, I think the extract I have read shows that the Viceroy has restricted the labour test within the narrowest limits, and only applies it where it can be legitimately applied. My

*The Marquess of Salisbury*

Lords, there is another point on which the Viceroy's policy has been questioned, and upon which it appears to me there is more to be said. I refer to the question of dilatoriness in the preparations for the transport of food. I think there can be very little doubt—indeed, the Viceroy himself admits it—that these preparations have been in arrear, and that whatever misery there has been may be attributed in some degree to that arrear. I think, however, that we are accustomed to exaggerate the distress which has occurred. I have heard and read of estimates of many hundreds of lives having been sacrificed—and language even stronger than that has been used. I can only say that if there has been any such sacrifice we are not aware of it at the India Office. We believe the mortality has been confined to a very few cases. That there has been suffering and distress cannot be doubted, and I am afraid there is disease; but the mortality has been limited, and whatever suffering there has been has resulted from the arrears in the preparations. Now, how far was the Viceroy to blame? In the first place, we must remember that for a long time it was uncertain whether there would be a famine, and, if there were, where it would strike. It was known in October that there would be a scarcity; but until the rains had fallen in January there could have been no accurate opinion formed as to what would occur. It might be that the danger of famine would altogether pass away, or it might be that the famine would extend over a country inhabited by 30,000,000 of people. It has been limited in its severity to a country inhabited by 7,000,000 or 8,000,000 of people, and the number who will be on the hands of the Government when the famine is at its worst will amount to certainly 3,000,000. But the exact locality of the distress could not have been ascertained till the season had advanced, and therefore the providing the means of transport was delayed to a later period than at first sight might appear to have been desirable. But I admit, and the Viceroy admits, that the preparations were not as far advanced as they might have been. As showing that the subject had not escaped the notice of the Viceroy, I may read this passage from one of the Minutes—

"These documents have been laid before the Government of India, and the Governor-General in Council cannot but express the disappointment which he feels at the local officers having for so long neglected fully to appreciate the requirements of those parts of the country, and thereby occasioned the postponement to the present time of arrangements for transport which should have been made many weeks ago."

My Lords, it appears to be a law of nature that the official mind can never readily conceive that the machinery with which it has to deal can go wrong, and I am afraid that the officials of India are not exempt from that law. There was a terrible exemplification of it in Orissa, where we had, indeed, a dreadful mortality resulting from the inability of officials to see that the ordinary routine would not suffice to avert an extraordinary calamity. But I cannot think that in the present case the local officers, who are both the eyes and the hands of the Viceroy, will indulge in such sanguine anticipations as those which delayed and prevented the preparations in Orissa. I trust and believe that no very serious injury has arisen from the delay in this case; but, even had very much more serious injury resulted from it, I do not think you could have blamed the Viceroy, because he was unable to supplement from his own knowledge the information sent to him by those on whom he depended. That is what I have to say with reference to the past policy of the Viceroy; but I should not be doing justice to my own feelings if I did not say how much reason we have to be grateful for his exertions, and how much reason we have to admire the vigour, judgment, and self-denial with which he has applied himself to his tremendous responsibility. All of us on this side of the House always admired his ability; but we had no notion how his powers would expand under the pressure of responsibility until we saw the measures he had adopted and the conduct he had pursued in the terrible position in which he found himself placed by this famine. My Lords, we have every reason to repose confidence in him, and I have no doubt that at the end of the year he will have the satisfaction of feeling that millions of human beings owe their lives to his exertions. He has been ably seconded by Sir Richard Temple and by the Lieutenant-Governor of Bengal, one of the

most able officers who have ever served the Indian Government; but I am sorry to say that for some time he has felt his health unequal to the strain upon it, and he will have to come home in April. Sir William Muir has also suffered, and I cannot help contemplating with some anxiety the resolution of the Viceroy to remain in Calcutta during the whole summer when I remember the nature of the climate of that part of India and the dangers that may arise to one whose life is so precious to his country. My Lords, I have now something to say as to our future policy. A Bill will shortly be brought up to your Lordships' House in which powers will be asked to raise the money necessary for the extraordinary demand in India. The actual money which will be required, at the present estimate in England will not be more than £3,000,000; but we shall ask for powers to borrow a much larger sum, because we cannot tell what the state of things will be six months hence. If the rains should fail in July, August, and September, we may be called on for further exertion. We shall, therefore, ask, in accordance with the Viceroy's request, for powers to raise a loan of £10,000,000. A question has been raised as to whether that loan should be guaranteed by English securities alone. This is not quite the place in which to discuss that question. I do not know what the House of Commons will think of it, but I have felt considerable difficulty in recommending such a mode of raising the loan, having regard to the effect that an English guarantee for this loan may have on other Indian securities. If, however, the House of Commons, in a fit of generosity, should think fit to guarantee the loan, I will not make any objection, though I suspect India will be rather a loser than a gainer in the transaction. With respect to transport, the railway—which should have been begun long ago—the railway from Durbungah, which is within the affected districts, to the Barth station of the Eastern Railway, has been commenced. The whole difficulty is that the districts afflicted with famine lie close up against the hills, and between the Ganges and the hills, and the misfortune is that the railway is on the wrong side of the Ganges. The case is different therefore from that of Ireland, because in Ireland

you could approach the distressed districts from all sides, and here you can only approach them from one side. There is much water in India; but, in these districts, except during the rainy season, little can be done on the water except by small boats. The consequence is that nearly the whole of the transport has to be conducted by means of carts; and, when it is remembered that from 1,500 to 2,000 tons a day have to be transported, the difficulty may readily be imagined; but, when the railway of which I have spoken has been constructed, the difficulty will be considerably diminished. In addition to the railway the Viceroy has ordered ten small steamers to be constructed by the month of June, which, with barges attached, will be able to go up the small rivers when the rains come on, when the cart transport will to some extent be paralyzed. I may mention an illustration of the difficulties of transport. Two days ago we received a telegram stating that unless we could send out a certain number of engine-drivers the whole work of relief would be imperilled. The line of railway is only a single one, and it has been calculated that if one of the engine-drivers employed on it died, that would mean a stoppage in the transport of the food of 40,000 people. Beyond these questions lies that of supply, which has excited a great deal of interest out-of-doors. I cannot approach that question confidently, because dealing with figures communicated by telegraph is one of the most unsatisfactory things that can be imagined. At one time I was under the impression that 420,000 tons of rice was all the Viceroy had collected for the distress. If that were so, I should say that his calculation was running too fine, and that he did not allow a sufficient margin for emergencies; but it may be said that the telegrams are exceedingly obscure, and that he has probably a much larger supply in his possession or at his command. I think I may assure your Lordships with confidence that an ample margin will be provided. We and the Viceroy thoroughly feel that we must not trust too fine calculations; that we must run no risk when the penalty of that risk may be the starvation of some hundreds of thousands. We have, indeed, no doubt that an ample provision will be made, but I must say that the communications are still incomplete, and until I receive a despatch by post, I

hesitate to speak with confidence as to what actually has been done. Perhaps I may have already detained your Lordships too long, and I will not dwell on the remedies which we may desire to carry into effect. Of course, the public will expect—justly expect—that as far as possible the recurrence of such a calamity—at least, of such intenseness—will be prevented. The India Office has long been alive to the importance of this question. The Government of India many years ago assented to a system of railways which, whatever may be said of them in other respects, will, at all events, afford easy and cheap communication throughout the country. Some years ago the Government of India also resolved that irrigation should be carried out on a comprehensive and systematic plan; and on these two classes of public works it was resolved to spend £4,500,000. My Lords, I cannot say that I consider the position of public works in India satisfactory. There have been too many disappointments as to the accuracy of estimates to permit of our regarding them as satisfactory. I think it is not impossible that later in the Session I may ask your Lordships to give your consent to some scheme for a more organized and systematic supervision of those works. In the meantime I beg to assure your Lordships that neither the Government in India, nor the Government at home are at all unaware of the extreme necessity of carrying out in all districts where they can see any prospect of remunerative return those works of irrigation which are the very life of India. Those are the observations which I thought it necessary for me to make. I was anxious to vindicate the policy of the Government of India in some respects in which I thought it might be misunderstood. In conclusion, I may venture to assure your Lordships that nothing that activity in preparation or abundance of provisions can secure shall be neglected, so far as we, and so far as the Government of India are concerned, in order that this terrible famine, which may last till September, may be kept within bounds.

Abstract of Correspondence between the Government of India and the Secretary of State in Council relative to the Drought in Bengal *presented* (by command) and ordered to lie on the Table.

House adjourned at a quarter before  
Six o'clock, to Monday next,  
Eleven o'clock.

## HOUSE OF COMMONS,

*Friday, 20th March, 1874.*

MINUTES.]—SELECT COMMITTEE—Privilege, appointed; Public Accounts, nominated; Printing, appointed and nominated; Kitchen and Refreshment Rooms (House of Commons), appointed and nominated.

RESOLUTION IN COMMITTEE—East India Loan.

PUBLIC BILLS—*Resolutions in Committee—Ordered—First Reading—*Permissive Prohibitory Liquor\* [9]; Spirituous Liquors (Scotland)\* [10]; Merchant Shipping Survey\* [11]; Public Worship Facilities\* [27]

*Ordered—First Reading—*Ancient Monuments\* [1]; Tribunals of Commerce\* [2]; Metropolitan Buildings and Management\* [3]; Betting\* [4]; Factory Acts Amendment\* [5]; Elementary Education Act (1870) Amendment\* [6]; Household Franchise (Counties)\* [7]; Leases and Sales of Settled Estates\* [8]; Married Women's Property Act (1870) Amendment\* [12]; Offences against the Person\* [13]; Women's Disabilities Removal\* [14]; Revenue Officers Disabilities\* [15]; Elementary Education (Compulsory Attendance)\* [16]; Game Laws (Scotland)\* [17]; Juries\* [18]; Imprisonment for Debt\* [19]; Landlord and Tenant (Ireland) Act (1870) Amendment\* [20]; Parliamentary Elections (Polling)\* [21]; Working Men's Dwellings\* [22]; Public Meetings (Ireland)\* [23]; Legal Practitioners\* [24]; Infanticide\* [25]; Church Rates Abolition (Scotland)\* [26].

PRIVILEGE—COMMITTAL OF A MEMBER FOR CONTEMPT.

A SELECT COMMITTEE APPOINTED.

MR. WHALLEY said, he had very specially to solicit the favourable consideration and indulgence of the House for a few remarks—and they should be very few—which he desired to address to the Speaker in reference to the communication from the Lord Chief Justice which the right hon. Gentleman had read to the House on the previous day. He was not present when that letter was read, or a very few words at the close would, perhaps, have disposed of the matter so far as he was himself personally concerned; but acting under the best advice he could obtain, he considered it was due to the House—though emulating, in some small degree, the excellent example of the Lord Chief Justice himself in paying due respect to that House—that he should not allow the circumstances which he had thought fit to bring to the notice of the House to pass without notice; he (Mr. Whalley) being the person concerned in that trans-

action—being the Member of the House who had the misfortune to come under, as it were, a two-fold penalty, as communicated by the Lord Chief Justice to the Speaker. In the first place, he had been so unfortunate as to commit the offence of contempt of Court, and having committed that offence, and having been fined for the same, he had refused to submit to that fine, and had elected to be sent to prison. He felt it was right that he should at all events place himself before the House, offering any explanation that might be demanded as between himself and his hon. Colleagues as to the circumstances, and then leave the matter. Nothing could have induced him to avoid either fine or imprisonment, or to obtrude himself and his personal affairs, his penalty, or his imprisonment on the attention of the House, unless a sense of the absolute and imperative necessity of public duty justified him in doing so. The transaction took place during the last Parliament, of which he was a Member, as he had the honour to be of the present. That would not have deterred him in reference to this transaction; though it was a matter in which he had doubts whether it was one which required him to communicate to the House, or which demanded the cognizance of the House. The Lord Chief Justice had himself admitted in the letter which was read from the Chair yesterday that he had doubts as to the propriety of the course which had been pursued; but nevertheless he had made a communication to the House by a Letter which would, he presumed, be placed upon the records of the House; and if that was the case, he ventured to say—acting upon advice of high authority—that the formal intimation by the Lord Chief Justice that a Member of the last Parliament had been imprisoned by the Court of Queen's Bench, was a matter worthy of the consideration of the House. Under the circumstances, and acting on the spur of the moment, he had to submit a suggestion—which he would have made at a later period of the evening, on the Motion for Adjournment, but he found that no Motion for Adjournment was made that night—the suggestion that he now therefore ventured to make was that the letter of the Lord Chief Justice be referred to the Committee of Privileges, with a view to their reporting whether the Lord Chief

Justice of the Court of Queen's Bench in committing a Member of the late Parliament to Prison for contempt of Court had done anything wrongly affecting the privileges of Members of that House? The question of Privilege was one of great importance, not only to individual Members, but to the House at large, and their Privileges ought, therefore, to be most jealously and carefully guarded and maintained. In the course which he had taken with regard to the late trial he acted to the best of his humble abilities, and with a full sense of the responsibilities which he thereby incurred. He believed, further, that the propriety of that course had been recognized by the Chancellor of the Exchequer of the late Government, who, in answer to a Question put to him, said he saw no objection to measures being taken to provide the defendant in the late trial with means to bring up witnesses and conduct his defence. Such a course was all the more necessary because, if the defendant had been committed for trial in the ordinary way, the means would have been provided under statute. In consequence of what the right hon. Gentleman had so stated, he (Mr. Whalley) wished to explain the course he had taken in the matter. He ventured to submit that if ever there was a person who could lay claim to the privileges of a Member of Parliament in regard to anything done outside the House, he (Mr. Whalley) was that person. ["Oh!"] He trusted he was saying nothing to obtrude upon the House what might be called his peculiar, or even eccentric, views upon this matter. He had acted with perfect honesty of purpose and according to the best of his judgment, and without any idea that he was in any way infringing the Privileges of the House, when in soliciting aid for the defendant at public meetings, he was carrying on what had been called an agitation, and had been denounced by the Lord Chief Justice, and in consequence of that he had been fined and also imprisoned. He was acting in what he believed to be the discharge of his public duty, and for which he had the assent of the House—["Oh!"]—so far as what he had stated to the House was not contradicted. With regard to what he had to submit to the House now, in Sir Erskine May's work on the *Law and Practice of Parliament*, it was distinctly recognized that the Committee of that

*Mr. Whalley*

House would not take cognizance of any interference with the Privileges of this House, or with the liberties of its Members, without first inquiring into all the circumstances of the case. The passage referring to Lechmere Charlton's Case was to the effect that, although the Lord Chancellor had power to declare what he deemed to be a contempt of the High Court of Chancery, it was necessary that the House of Commons, as the sole and exclusive judge of its own Privileges, should be informed of the particulars of the contempt before they could decide whether the contempt was of such a character as to justify the imprisonment of a Member. Now, he thought the circumstances of the present case were well worthy of attention. They simply amounted to this—that he had ventured to state, in a letter which he wrote for the information of his constituents, that it was his belief that a man committed on a charge of perjury in the Court of Queen's Bench was not guilty of perjury so far as regarded one particular portion of the evidence given in Court, and he felt that as an Englishman he had a right to express that view. It was the result of extreme labour undertaken at his own risk and cost—he referred to his journey to America. He gave his reasons why he believed that certain parts of the story or narrative of a particular person committed for perjury were true, and held that a man put upon trial, and not yet found guilty, was innocent. That was really the whole ground of his offence—the whole ground upon which he had been found guilty of contempt of Court. The reason why he had made an effort to address the Court was that he might take the opinion of the Exchequer Chamber on the subject of this law of contempt, than which nothing could be more repugnant in connection with the course of our English jurisprudence. That was the general outline of his offence, and he ventured to submit that this matter, which had been brought under the notice of the House by the Lord Chief Justice, ought to be referred to the Committee of Privileges for inquiry into the circumstances with a view to their reporting whether it was desirable that the House should take any further steps in the matter.

MR. SPEAKER: Will the hon. Member be good enough to bring up the terms of his Motion?



Mr. WHALLEY accordingly handed up his Motion in writing—as follows—“That the Letter of the Lord Chief Justice, read by Mr. Speaker to the House on the 19th instant, be referred to the Committee of Privileges to examine and report whether any of the matters referred to therein demand the further attention of this House.”

Motion made, and Question proposed,

“That the Letter of the Lord Chief Justice of England to Mr. Speaker, informing the House of the commitment of Mr. Whalley, a Member of this House, be referred to the Committee of Privileges, to consider and report whether any of the matters referred to therein demand the further attention of the House.”—(*Mr. Whalley.*)

Mr. DISRAELI: Sir, any question which involves the Privileges of the Members of this House should always be treated with great attention and consideration. In regard to the present case, I am not prepared in any way to give an opinion on its merits. I am not sufficiently aware of the circumstances, nor have I myself had time to consider them. But certainly, *primâ facie*, there has been an apparent violation of the Privileges of a Member of this House, and whenever such a violation occurs the House cannot, I think, be too cautious in the course it pursues. The proposition of the hon. Member for Peterborough is, however, one which I think it would hardly be convenient for the House to adopt. The Committee of Privileges is a body which we should all of us at all times speak of with great respect, but it is not, upon the whole, a very convenient body to appeal to; and, unless the subject is complicated, I should hardly advise the House to have recourse to such a Committee. The Committee of Privileges is a heterogeneous body, and it is not expedient to appoint one unless the case is of great complexity. It appears to me that the merits of the present case would be met if we were to appoint a Select Committee. My suggestion is that we appoint a Select Committee to inquire into the circumstances.

Mr. WHITBREAD said, they were not called upon to form any opinion as to the merits of the case, but certainly he did not think this was a case which ought to be passed by without the appointment of a Committee to inquire into it. He was not going to be so im-

pertinent as to express his admiration of the Lord Chief Justice, or of the manner in which he discharged the duties of his high position, but he might say he was very glad that learned Judge had arrived at the conclusion that he ought to acquaint the House with the fact of his having committed one of its Members for contempt. He would venture to point out one or two considerations which appeared to him to make it imperative on all the Courts, whenever they committed a Member of that House, whether during the Recess, or when the House was sitting, to acquaint the House of the fact. What were the facts of the present case? A Member was committed almost immediately before the Dissolution of Parliament. It would have been quite possible, therefore, that he might have been prevented from presenting himself to his constituents for re-election. A Member might be committed—if any other doctrine held good—the day after Parliament was prorogued, and released again the day before Parliament met; and yet no official information might be conveyed to the House on the subject. He did not think the House would be content with any sort of record, or that a County Court Judge might commit one of its Members to prison during the Recess, and yet that it should receive no official intimation of the fact. If, therefore, a Committee were in the present instance appointed, a good opportunity would, he thought, be afforded for expressing some opinion on the part of the House that information should be conveyed to it whenever any Court of justice happened to commit one of its Members. As to the appointment of a Select Committee instead of a Committee of Privileges, he had only to say that for such a case as that under discussion a Select Committee might command the confidence of the House; but, on the other hand, the unbroken rule had been to refer such cases to a Committee of Privileges. There were instances in which some hon. Members were named specially to serve on a Committee of Privileges, the Committee, with the exception of those names, being constituted in the ordinary way. Such were, perhaps, not convenient precedents to be followed; but whenever a case arose, of the committal of one of its Members, in which the House took a serious and deep interest, it might be of advantage to have a large Committee

of Privileges, in whose proceedings almost the whole of the House might take part. He should not like to see the old practice done away with of referring such cases to a Committee of Privileges. The House had inherited the Privileges which it possessed from those who had established and sustained them in difficult times, and though in the present day they were not often infringed, he thought they should always be jealously watched.

MR. LOWE: I cannot help thinking that the advice given to us by the right hon. Gentleman at the head of Her Majesty's Government is the one that we should do wisely to adopt—that we should refer the matter to a Select Committee of moderate numbers, where it can be very much more conveniently dealt with than it could be by the Committee of Privileges, which embodies practically the House at large. It must be observed that the Lord Chief Justice has informed us of the fact that a Member of this House has been committed for contempt, but has not stated the circumstances of the case. It will therefore be the duty of the Committee to ascertain those circumstances, and I think that can be better done by a moderately sized Select Committee of inquiry than by a very large Committee of Privileges. I therefore quite agree with the right hon. Gentleman that it is very desirable that we should have a Select Committee to inquire into the circumstances. It is quite right, I wish to add, that the House should always be jealous on this subject, and that it should allow nothing to pass without investigation. At the same time I hope it will be fully understood that in appointing a Committee to ascertain the circumstances, that appointment does not imply the slightest censure on the Lord Chief Justice.

MR. ROEBUCK said, he was a Member of the House when Mr. Wellesey was committed by Lord Brougham for contempt of his Court. He believed that on that occasion a Select Committee was appointed to inquire into the circumstances, and he therefore wished to ask the right hon. Gentleman in the Chair whether a precedent had not been furnished in that case which might very properly be followed in the present instance?

MR. SPEAKER: The precedent to which the hon. and learned Member referred was of this sort. The matter was referred to the Committee of Privileges. That, I am bound to say, has been the ordinary course. At the same time, it has been found in practice somewhat inconvenient, because the Committee of Privileges is composed of all knights of the shire, all gentlemen of the long robe, and all merchants. It must, therefore, be obvious to the House that the composition of such a Committee would, to say the least, be inconvenient, and it will be for the House to determine for itself whether this matter shall be referred to a Select Committee or to a Committee of Privileges.

Motion, by leave, *withdrawn*.

*Ordered*, That the Letter of the Lord Chief Justice of England to Mr. Speaker, informing the House of the commitment of Mr. Whalley, a Member of this House, for Contempt of Court, be referred to a Select Committee, for the purpose of considering and reporting whether any of the matters referred to therein demand the further attention of the House.—(*Mr. Disraeli*.)

And, on March 26, Committee nominated as follows:—MR. DISRAELI, MR. GOSCHEN, MR. SOLICITOR GENERAL, MR. KNATCHBULL-HUGESSEN, MR. SPENCER WALPOLE, MR. WHITEHEAD, MR. STEPHEN CAVE, SIR CHARLES FORSTER, SIR SEYMOUR FITZGERALD, SIR HENRY JAMES, VISCOUNT HOLMESDALE, SIR EDWARD COLEBROOK, SIR GRAHAM MONTGOMERY, MR. MASSEY, VISCOUNT CRICHTON, MR. ATTORNEY GENERAL, and MR. ROEBUCK:—Power to send for persons, papers, and records; Five to be the quorum.

#### BANK HOLIDAYS—THE CUSTOMS DEPARTMENT.—QUESTION.

MR. RITCHIE asked Mr. Chancellor of the Exchequer, Whether, as business in the City is now discontinued on the days set apart as Bank Holidays, Her Majesty's Government will extend to the employés in the Customs Department the benefit of the holidays established by the Bank Holidays Act?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that a correspondence was going on between the Board of Customs and the Treasury on this subject, and that no decision had yet been arrived at.

## BENGAL FAMINE.—QUESTION.

MR. ONSLOW asked the Under Secretary of State for India, How soon the Papers relating to the Indian Famine would be laid upon the Table of the House?

LORD GEORGE HAMILTON in reply, said, that he hoped to be able to lay on the Table to-morrow an abstract of the despatches which had passed between the Viceroy and the Secretary of State for India, and to supplement this abstract by furnishing the last three despatches in full.

## PARLIAMENT—BUSINESS OF THE HOUSE.

MR. NEWDEGATE inquired of the First Lord of the Treasury, Whether it was his intention that the House should sit to-morrow, and, if so, at what time and for what business?

MR. BERESFORD HOPE thought it would be convenient if the First Lord of the Treasury would also state what was likely to be the course of business next week, and at what time they were to be released from their arduous labours?

MR. DISRAELI: I am not surprised at the feeling of astonishment—I hope it may not be described as even a more painful sentiment—which has been shown on an allusion being made to a proposal that the House should meet to-morrow. The fact is, however, that the claims of Public Business are at this moment so exigent that I must not only ask this House to meet to-morrow, but we must use our influence to induce the august Assembly which sits in “another place” to meet likewise on a Saturday—I mean on Saturday week. I will point out the mode in which I think the claims of Public Business, however exigent, may be met—but it is only with the aid of the cordial support of the House that they can be met successfully. We propose that the House should assemble at 12 o'clock to-morrow, and we shall at that sitting introduce the Excess Votes for 1872-3, and the Supplementary Estimates, amounting to £315,000, for 1873-4, and shall ask, moreover, for a Vote of Credit on account of the Ashantee War. On Monday we propose to go into Committee of Supply, when we shall ask for a Vote on Account for two

months. On Tuesday, with the assistance of the House, and by hon. Gentlemen showing friendliness and forbearance, we may take the Report of Supply, and the Bill framed upon it may be read a first time. On Wednesday the second reading of that Bill may be taken, on Thursday we may go into Committee on it, and on Friday we may take the third reading. This House need not meet on Saturday. If we can induce the august Assembly in “another place” to meet on Saturday, the Lords, by suspending their Standing Orders, may pass through the Bill, and on Monday, the 30th, in that case, it would receive the Royal Assent. The Secretary for War and the First Lord of the Admiralty may also, on the 30th, move a Vote for the number of men required for the public service, and on Tuesday the report on that subject may be agreed to. That is precisely the last day of the financial year. Now this can be done with the forbearance and assistance of the House and in no other way. I think the requirements of the public service authorize that forbearance on the part of the House, and I trust it will be exercised. It is only by using judiciously every moment of our time, by sitting at unusual hours, and by both houses responding readily to the appeals we make, that we can hope to succeed in accomplishing this financial *tour de force*. With regard to the question of which the hon. Member for the University of Cambridge has asked as to the period of relaxation which he needs, I may say that if we can carry out the business I have mentioned by Tuesday, the 31st, I shall then move, if it be agreeable to the House, that we adjourn from that date till Monday, the 13th of April. And perhaps I may be allowed to take this opportunity of saying that on Thursday, April 16, my right hon. Friend the Chancellor of the Exchequer proposes to introduce his Budget.

## THE ADDRESS IN ANSWER TO THE QUEEN'S SPEECH.

Report of Address *brought up*, and read.

Address read a second time.

MR. BUTT, in moving an Amendment to the Address, said, he was fully aware of the objection that might be raised to

a course being followed which would bring controversial questions to the vote on such an occasion as the present. He ventured at the same time to think that if the House favoured him with a hearing he would be able to satisfy hon. Members that he was justified in acting as he did—he hoped, in short, to show that there was an absolute necessity for giving Ireland a new system of internal government. The proposal he desired to submit to the House was that the following passage should be added to the Address:—

“We also think it right humbly to represent to Your Majesty that dissatisfaction prevails very extensively in Ireland with the existing system of government in that country, and that complaints are made that under that system the Irish people do not enjoy the full benefits of the Constitution and of the free principles of the law; and we humbly assure Your Majesty that we shall regard it as the duty of Parliament, on the earliest opportunity, to consider the origin of this dissatisfaction with a view to the removal of all just causes of discontent.”

He thought there was one result of this dissatisfaction in Ireland as exhibited by the recent elections to which no person could be indifferent and which no wise statesman could disregard. For the first time since the Act of Union a majority—he would call it a decisive majority—of Irish Members had been returned pledged to seek such a modification of the arrangements of the Union as would give to Irishmen in Ireland the right of managing their own affairs. He referred to this fact as evidence of dissatisfaction with the existing state of things. The Irish Members who had been returned as Home Rulers were a decisive majority of the Irish representatives, and these had not been pledged to any mere vague declaration in favour of Home Rule. Those who had thought it right to endeavour to excite the attention of the country to the question of Home Rule had deliberately prepared and put before the country the plan contained in the Resolution, which he ventured to say was framed in terms as clear and distinct as possible. They asked that Ireland should have the management of exclusively Irish affairs. Their plan would relieve the House of business which it had not the time, and, he might say without disrespect, not the capacity, to manage. Their plan would not in the slightest degree affect the prerogative of the

Crown or the stability of the Empire. They saw no reason why an Irish Parliament could not manage exclusively Irish affairs without endangering the stability of the Empire. Had the grant of Parliaments to Canada, Australia, and other Colonies endangered the stability of the Empire? He believed he spoke for every Member who had been returned for Ireland on the Home Rule principle when he said that they repudiated in the strongest terms the slightest wish to break up the unity of the Empire or to bring about a collision between England and Ireland. They made no secret that they had all been elected to put forward the claim of Ireland to Home Rule, and, whether rightly or wrongly, they had come to an agreement among themselves that they would act separately and independently of all existing political combinations in that House. Whether that course was wise or not, it certainly was a new feature in Irish politics, and one that could not be overlooked. They took up that position because they could not acquiesce in anything that appeared to them to imply that there was nothing in the state of Ireland that required a remedy. In taking up that position he felt that they had taken a great responsibility upon themselves, and he knew the difficulty of their position. He knew the prejudice which the statement that they had determined to act independently of political combinations would naturally provoke, but he would ask the House to judge them by their conduct. They would pursue a course very different from anything like faction. He thought he might base the first part of this Amendment upon the mere fact that a majority of the Irish Members were returned expressly to endeavour to obtain for Ireland self-government. He knew not what stronger proof could be given of the dissatisfaction existing in Ireland. That dissatisfaction had been constitutionally expressed. It had not been expressed by any disturbances such as on former occasions were noticed in the Royal Speech. The Irish people had made this great political movement at a time when perfect tranquillity prevailed throughout the country, and in all the agitation by which the result had been brought about there had been nothing unconstitutional or illegal. It had been expressed through that political fran-

chise which had been given to them for the purpose of declaring their political opinion. Ireland at present was in a state of perfect tranquillity. The assizes that had just closed had ended in every place with congratulations from the Judges upon the peaceableness of the different counties. In the last summer assizes in the city he had the honour to represent (Limerick) white gloves were given to the Judge, there not being a prisoner to be tried. In the City of Cork, another great city in the South of Ireland, the very same thing occurred. He thought the dissatisfaction in Ireland called upon the House, he would not say to alter or reverse any policy that had been hitherto pursued with reference to Ireland, but certainly to review calmly and deliberately that policy, and ascertain the causes that had given rise to the dissatisfaction as to the management of Irish affairs by that House. He thought he need not go far to justify the second part of this Amendment, which affirmed that the Irish people complained that they had not had the full benefits of the Constitution of England. He believed that at this moment Ireland was under a code of law which for severity had not its parallel in any European State. He would not speak for a moment of the law that prevailed all over Ireland independently of the will of the Lord Lieutenant. The Lord Lieutenant had power by proclamation to make it illegal in any district to carry arms without a licence from a police magistrate, and any man having a gun, a pistol, or dagger was liable, unless he had a magistrate's licence, to imprisonment for two years. Of the 32 counties in Ireland 26 had been proclaimed; the greater part of five others had been proclaimed, and there was just one county in Ireland, designated Tyrone, which was free from proclamation. Of the eight counties and cities Carrickfergus only was free from proclamation. Now that, he thought, was a very startling state of things in Ireland. But more than this—at any time of the night, in any district where this law prevailed any policeman holding a warrant might demand to be admitted into any house in a proclaimed district, and might break open the door, if admittance was refused, to search the house for arms, and 119 of these general warrants were now in

operation. Even this was not all. By proclamation the Lord Lieutenant might make it a crime to be out of doors after dark, while by another proclamation he could empower the police to seize any stranger, and a large portion of Ireland was at present under this law. By another proclamation any magistrate or police officer might demand admittance to any man's house and ransack his papers for the purpose of comparing the handwriting with the handwriting of a threatening letter. Let it not be imagined that these powers were never used. On one occasion a number of young men, one of whom was the son of a respectable merchant, determined to play *Hamlet*. A police inspector, hearing of this, went to the theatre, arrested the young gentleman, and kept him in prison from Saturday night till Monday morning, when he was brought before a magistrate on a charge of having arms in his possession. Cases like this were of frequent occurrence in Ireland. Under the pretext of searching for arms the police often sought to procure evidence of robberies and thefts, and these powers might be abused for many other purposes. He cared not how these provisions might be defended, for he was sure they were not necessary. This, he thought, amply justified him in saying that Ireland did not enjoy the advantages of the British Constitution, nor the free principles of the English law. These powers were in constant use. With regard to arresting persons after sunset, he would tell the House what occurred on the 5th of the present month, according to an account which appeared in a very respectable newspaper. Early in the morning on that day a band went to attend an election meeting. In going through the town they played some tune—which however was not a party tune—and the young people of the place were naturally attracted by the music. The crowd cheered, and then a policeman thought fit to think an offence had been committed against the law. Subsequently the constable followed two young men, whom he knew perfectly well, a distance of two miles, and at six minutes to 6 o'clock, just after sunset, he told them they were out under suspicious circumstances. Thereupon he carried them to gaol, where they were detained until they were brought before a magistrate the next day. Was this a

state of things that ought to be endured in a country which was nominally under the British Constitution? The police in Ireland were in truth a military force. A high Conservative authority had said they were ten times as numerous as they need be for the purpose of keeping the peace; and the late Lord Mayo said that by converting them into a military force their efficiency as detectors of crime had been destroyed. The existing laws made the police the masters of the daily life of the people. Indeed, the police had been termed an "army of occupation," and when the civil power of a country was confided to such an army the law was identified with the idea of conquest. But how did Ireland stand with regard to other matters? In the first place, the franchise was not the same as in England. When the late Reform Act was passed for England household suffrage was introduced into the boroughs; whereas in Ireland no one could vote in a borough unless he had a rating qualification above £4. Moreover, the franchise in Ireland was encumbered by so many vexatious rules about rating that it was difficult for anybody to obtain a vote. In England, with a population of 26,000,000, as many as 1,200,000 persons enjoyed the town franchise; while in Ireland, with a population of 5,500,000, there were just 50,000 town voters, of whom 30,000 were to be found in Belfast, Dublin, Cork, and Limerick. In the whole of the rest of Ireland only 20,000 persons were admitted to what ought to be a popular franchise. Perhaps it might be said that the town population of Ireland was not so large as that of England. This was doubtless true, but in England one man out of every eight had the franchise, whereas in Ireland only one man out of every 20 had it. He would ask them whether the Irish people had the full benefit of the Constitution which had been established in England? It was a strange circumstance that the progress of Liberal opinions led to this divergence between the English and Irish franchises. Formerly they were the same in both countries, but shortly after the passing of Catholic Emancipation the 40s. freeholders were abolished, and by the Reform Bill the franchise in Ireland was made higher than in England. There was also a difference between the

municipal franchise in the two countries. In Ireland—the poorer country be it remembered—a man could not take part in a municipal election unless he occupied a house worth £10 a-year; but in England every householder had a right to vote. Again, how were fiscal affairs managed in Ireland? A Grand Jury was summoned by the Sheriff in every county for the purpose of finding bills and discharging the criminal administration of justice, and the members of this body, who were not elected by the people, were made the guardians of the whole county expenditure, which amounted throughout the whole of Ireland to £1,200,000 a-year. In fact, the whole system of government in Ireland was based on distrust of the people, just as the whole system of government in England was based upon trust of the people. This circumstance, he thought, justified the complaint of the people of Ireland that they had not the benefit of the Constitution. In accordance with an old principle of the British Constitution, sheriffs in all towns were elected by the people, and this was the case in Ireland until Liberal legislation reformed the corporations and took from them this power of electing sheriffs. Did not the facts he had mentioned justify him in asking the House to recede from its policy of coercion and distrust? The conclusion had been reluctantly forced upon him that conceding to Ireland a Parliament to manage its own affairs was the only way to establish a perfect constitutional government in that country. He was persuaded that any candid Englishman who would examine the peculiar condition of Ireland, and the differences which existed between Ireland and England, would arrive, as he had done, at the conclusion that the only way to have a really constitutional government in Ireland was to allow the representatives of the people, freely chosen by the people, to administer their own affairs. However, the Amendment he was about to move did not express any opinion on that point. All he now asked the House to say was that Ireland had not the benefit of the Constitution, and to consider a remedy. The Amendment ought to commend itself to the common sense and candour of English gentlemen. A new state of things had arisen in Ireland, and an opportunity was now given to the House



of Commons to review its policy with regard to that country. He did not at present ask the House to concede Home Rule to Ireland. That question remained to be discussed, and perhaps to be discussed for many years. But first the advocates of Home Rule must satisfy the English people that they were not seeking separation. Ireland had given up the idea of separation, because she had before her the prospect of obtaining another and a far better thing. He did not believe Ireland would ever be content with the existing state of things; but if Englishmen approached the subject with unprejudiced minds there would be no difficulty in framing a measure which would make Ireland contented, while the integrity of the Empire would be perfectly maintained. We were now entering upon a new phase of Irish politics. It was not his wish to say one word of disrespect towards the right hon. Gentleman opposite, who by his genius had raised himself to the exalted position he at present occupied. The right hon. Gentleman was now for the first time in his life in power, although he had previously been in office. Ireland was a field large enough for the ambition of any man if he could reconcile that country cordially to the British nation, and dispel every trace of disloyalty to the British Crown. He believed it was possible to do this by wise legislation. There might be a veiled policy as well as a veiled rebellion. It would be a mistake, however, if the right hon. Gentleman were to conceive that other questions would not have to be dealt with. If a policy of conciliation were pursued towards Ireland, the right hon. Gentleman would not find himself obstructed by Irish representatives, but if he should unfortunately pursue a different course he would find himself disappointed; but however great their wish to relieve the House of Commons from the management of exclusively Irish affairs, for which they believed the House unfit, while those affairs were managed in this House, and they continued Members of it, a duty devolved upon them which would be ill-discharged by offering factious opposition to any measures for the benefit of Ireland, from whatever side of the House those measures might emanate. He thought he had shown that a crisis had arisen in the affairs of Ireland presenting new

phases; that those Gentlemen who had associated themselves for the purpose of obtaining self-government for Ireland were bound not to acquiesce in an Address which inferred that things should remain as they were; and it was with this view that he would now place in the hands of the Speaker the Amendment which he had prepared.

MR. M. BROOKS, in seconding the Amendment, claimed indulgence as a new Member, and said he professed to be a loyal and dutiful subject of Her Majesty; he yielded to no man in the desire to maintain the dignity of the Throne and the integrity of the Empire; but, having a stake in Ireland, and as Chief Magistrate of the second city of the Empire (Dublin), he did not shrink from the responsibility he had undertaken. It was impossible to look round and say that dissatisfaction did not prevail in Ireland. He did not hesitate to declare that dissatisfaction in Ireland was wide-spread, while disloyalty was rare. As to the causes of that dissatisfaction, when he remembered that the Roman Catholic hierarchy, and the clergy and laity without one single dissentient, claimed that the higher education of the youth of the country should be free from the control of his co-religionists, the Protestants, and the Imperial Parliament had refused that demand, dissatisfaction could not but prevail in Ireland. There was also a strong feeling among his countrymen that really Irish affairs should be managed according to Irish ideas.

Amendment proposed, at the end of the eighth paragraph, to add the words—

"We also think it right humbly to represent to Your Majesty that dissatisfaction prevails very extensively in Ireland with the existing system of Government in that Country, and that complaints are made that under that system the Irish people do not enjoy the full benefits of the Constitution or of the free principles of the Law; and we humbly assure Your Majesty that we shall regard it as the duty of Parliament, on the earliest opportunity, to consider the origin of this dissatisfaction, with a view to the removal of all just causes of discontent."—*(Mr. Butt.)*

Question proposed, "That those words be there added."

MR. CHAPLIN said, it could not be denied that the new Parliament met under peculiar circumstances. It was not only that the two great parties in the State had undergone so wondrous a

transformation—it was not only that the new Prime Minister was one of whom the verdict of posterity would pronounce that his career had been the most remarkable of that of any Statesman in the present century—it was not only that they had witnessed in the fortunes of a party and its leader a reverse, probably the most striking on record—but they were now confronted with a Motion which, in spite of the protestations of the hon. Mover and his party, could only have one object—and it was well to speak plainly—to aim a vital and a fatal blow at the integrity of the Empire. The right hon. Gentleman (Mr. Gladstone), whom they were all glad to see in his place in a House in which he had gained a credit and a renown which would linger in the minds of men long after these material walls had ceased to exist, had been at considerable pains to point out last night the reasons why he thought it wise to advise a Dissolution, but he declined altogether to investigate the causes which produced the results which the General Election had so unexpectedly revealed to him. In his (Mr. Chaplin's) opinion these causes bore more or less directly upon the Motion now before the House; and it would be neither wise nor right for hon. Gentlemen on either side of the House to conceal from themselves that there must have been some great occasion for such a change, and there was no man who could fail to derive great instruction from the causes that had produced these results. When the late Administration came into office the right hon. Gentleman was then at the head of a majority, probably the largest and most powerful which it ever fell to the lot of a leader to control. For a time they followed him without a murmur; their discipline was perfect and their ranks remained intact. What was the use which the right hon. Gentleman and his Colleagues proceeded to make of their majority? The policy of the right hon. Gentleman in Ireland might be described as one of weak, unwise conciliation, followed swiftly in almost every case by measures of stringent and severe coercion. That policy was first applied to the Established Church in Ireland, with this twofold result—first, that, as a conspicuous Member of the late Administration (Mr. Bright) had declared, the principle was now irrevocably fixed in the legislation

of this country that an Established Church might be removed; and, secondly, that a new Peace Preservation Act was rendered necessary in the very next Session, to meet a fresh crop of outrages which had sprung up in Ireland. The policy of confiscation having failed completely in that case, it was next applied to the landlords, and with almost a precisely similar result, for Parliament had hardly met when the noble Lord then the Chief Secretary for Ireland (the Marquess of Hartington) almost begged the House on his knees to grant a Committee, whose deliberations were to be secret, in order to help him to govern parts of Ireland as rebellious counties, which all the concessions of the right hon. Gentleman had failed entirely to conciliate. And here he might, perhaps, be permitted to observe that to those who appreciated rightly the full meaning and effect of the Irish Land Bill, it was always from the first a measure so pernicious, both in character and principle, that they could view it at no time except with feelings of dislike—dislike which was rapidly converted into real alarm when it became apparent how every principle of justice was ignored; how every remonstrance on their part was met, not by valid argument or reason, but by the majority that there was at the Minister's back; and how recklessly he confiscated the rights of property in Ireland. He had formed his own opinions on that measure at the time; he had never scrupled to express them then; he did not hesitate to do so now—that it was the very worst measure that had ever been passed. That Act, when its history came to be written, would be found to be the darkest blot upon the career of the right hon. Gentleman, and on the day when it was placed in the statute book the first nail was driven home in the coffin of the late Administration. It had been said that whatever might be the blame attaching to the Government of the day for passing that measure, the people of this country must accept their share of it; but in that view he could by no means concur, as it was founded on a total misconception, and he challenged the right hon. Gentleman or his Colleagues, or any of his supporters, to point out when or where it was that the principle of compensation for disturbance, which was the

very pith and marrow of the Act, and which was the sole provision that obtained for that measure the approval of the Irish peasantry, was submitted to the people of this country, and their deliberate judgment upon it obtained. The principle of that measure was never submitted to the people of this country until January, 1874, and then they expressed their opinion upon it in a manner that it was impossible to mistake. Five years had elapsed since the late Government embarked on their career; five years since, the House had been told that legislation for Ireland was the question of the day; and five years since, the then First Minister said that Ireland must be governed according to Irish ideas. Was it not a climax to the policy of the right hon. Gentleman and of his Colleagues that after they had held unequalled sway and power in Ireland for five years they were brought face to face with some 50 Gentlemen in that House who were pledged to vote in favour of Home Rule? That was a striking illustration of the effect of the right hon. Gentleman's ideas on the subject of Irish legislation having been carried out. The late Government laboured under the double mistake of supposing, first, that the people of this country ever really understood the nature of their Irish measures, and, secondly, of supposing that the country ever condoned or admitted the principle of confiscation. Actuated by these erroneous notions, they proceeded to put in force the principle of confiscation whenever the fancy seized them. He would not detain the House at length by going through a long catalogue of the misfortunes and the misdemeanours of the late Government; but at length, by happy accident—or, as some think, by a happy intervention of Providence—they turned their attention to their old friends the Licensed Victuallers, whose indignation, in conjunction with that of all who had anything to lose, had found expression in the result of the General Election, which must carry conviction to all minds that a policy of confiscation is not suited to the feelings of the English people. There were principles of justice and of good government which had been sanctioned by the knowledge and experience of a thousand years, and which had been endorsed by the approval of countless generations,

within whose limits the rulers of mankind might travel safely, and still give full scope to the most transcendent intellect and genius; but when those limits were exceeded, unknown regions were entered upon, where was danger both to the rulers and to the country. In the rashness of his transcendent genius the right hon. Gentleman had entered upon those unknown regions, and had been coquetting with dangerous principles until at length a nation, indolent as a rule, and not given to either forming or giving expression in a hurry to its political feelings, had risen in genuine alarm, and with united voice had hurled its former leader from his high position. He trusted that, from the fate of the right hon. Gentleman, succeeding Governments would take warning in the future, and we must all rejoice that England, in the exercise of the highest and greatest functions committed to her by the Constitution, had placed in power men who would uphold the fame of English statesmen, and maintain inviolate the integrity of Great Britain.

MR. JOHN GEORGE MACCARTHY rose to support the Amendment. He especially needed the indulgence which that Assembly usually accorded to those who were addressing it for the first time, because he was about to submit to it views which were, perhaps, thoroughly opposed to the preconceived opinions held by the large majority of the hon. Members he was addressing. He was not, however, unacquainted with the traditional courtesy and forbearance of that branch of the Legislature. It had been stated by a high authority that one of the safeguards of the liberty of this country was that any opinion, provided it was a reasonable one, and was expressed with reasonable courtesy and moderation, was sure of a fair hearing in the British House of Commons. He was old enough to remember principles which, when first advocated in that House, were distasteful to the great majority of the Members, being in the main right, and being in the main honestly advocated, had eventually been accepted by the Legislature, and embodied in Acts of Parliament which were triumphantly passed by overwhelming majorities, and were now regarded as safeguards of the State. Attention had been called to

the special circumstances under which Parliament was dissolved and the present Ministry brought into power. No doubt there had been a remarkable series of events. One great party which had occupied the seats of power, with rare intervals, for more than a generation—a party illustrious in its leaders, illustrious in its history—and, as an Irishman, he desired to say it was a party that had rendered illustrious services to Ireland—had been hurled from, and another placed in office almost as if by magic. That change had been brought about by the people of England. In Ireland, too, there had been elections, and there also a remarkable change had been made in the representation. A majority of the constituencies had declared that some measure was necessary which would enable the Irish people exclusively to manage their own affairs. But mark the difference. In England the will of the constituencies was instantaneously obeyed; in Ireland it was utterly ignored. He was one of those dreadful Home Rulers—men who were sent to that House chiefly to represent to it with all respect, but with all sincerity and firmness, the ancient, deep-seated, and ineradicable conviction in the minds of the great majority of Irishmen that it was indispensable for the welfare of their country that the internal affairs of Ireland should be managed by an Irish Legislative Assembly, composed of Queen, Lords, and Commons of Ireland. Their sincere conviction, arrived at after mature consideration, was that the change they desired could be effected in accordance with historical precedent, and with politico-philosophical science, without the violation of one constitutional principle, and without depriving property of its security, and that such a change would tend not to weaken, but to strengthen the unity, integrity, and abiding peace of this great Empire. What they purposed was simply this—that the internal affairs of Ireland should be relegated to an Irish Assembly, and that all the affairs of Great Britain and of the Empire, that all that concerned the colonies and foreign States, and that all matters connected with peace and order in this Kingdom should be left to the arrangement of the Imperial Parliament, and that in that Parliament, but only for Imperial purposes, Ireland should be

represented. He submitted with confidence that whatever might be said of that proposition, it could not be said to be a proposition for separation, and it was only confusing two things which were entirely different to regard it as a proposal for dismemberment of the Empire. One of the essential ingredients of their proposal was the maintenance of the integrity, the supremacy, and the unity of the Empire. It had been said that the proposal was revolutionary. He submitted, however, that neither in principle nor in fact it could be said to be revolutionary. It was a proposal strictly within the limits of the Constitution; it did not violate any one constitutional principle; it was not rebellion either veiled or unveiled. When the proper time came they would submit to the House the particulars of their scheme; stating what they considered ought to appertain to the affairs of Ireland and what to the affairs of the Empire, what provision should be made for the maintenance of peace and order, and what safeguards should be taken against the danger of the clashing of the two jurisdictions. All those things they had considered carefully, and at the proper time they would be prepared to submit their views fully and frankly. The main idea underlying their proposal was that it was a middle course between separation on the one hand and centralization on the other. No Members of that House felt more strongly than the Irish Members that a separation between two Islands, associated as were England and Ireland, geographically, historically, and by so many ties of interest and friendship, would be a disaster; but over-centralization was no less a disaster. It was disastrous to have the government of Ireland vested in an Assembly which, however eminent, did not understand Irish likings and dislikings, and that, moreover, admittedly had no time to attend to Irish affairs. He would repeat to the House the words of one of the greatest of Conservative statesmen, and one of the greatest political thinkers of all time, Edmund Burke—

“Be assured that a natural, cheerful alliance is a more secure bond of connection than subjugation borne with grumbling and discontent.”

In conclusion, he would say that they wished to pass between the Scylla of

*Mr. John George MacCarthy*

separation and the Charybdis of centralization.

MR. NEWDEGATE said, the right hon. Gentleman the Prime Minister had announced that he proposed the House should meet *de die in diem* to provide for the financial necessities of the country, and now they had submitted to them by the hon. and learned Member for Limerick (Mr. Butt) not a proposal, as he assured them, for the dismemberment of the Empire, but a modification of that proposal by which the House was to be precluded in future from all interference with or part in the regulation of the internal affairs of Ireland. He asked himself whether, if they were to abandon the regulation of affairs in Ireland, the Members for Ireland would be prepared to cease from interference with the internal affairs of England and of Scotland? If they were to have this abstinence, it ought to be reciprocal, and he believed the Business of the House, so far as it related to the affairs of England and Scotland, would not be otherwise than facilitated by the absence of the Members from Ireland. He remembered the Repeal agitation, and that it was not until the late Sir Robert Peel came down to this House and proposed the grant to Maynooth that that agitation was appeased. From the speech of the hon. Member who seconded the Amendment (Mr. Brooks), and whomade special reference to the question of higher education in Ireland, it was clear to him that behind the present agitation there were ulterior objects, and that one of those objects was to compel the House of Parliament to assent to such measures with reference to higher education as would be agreeable to the Roman Catholic Bishops and priesthood in Ireland—some such measure as that with respect to University education in Ireland, which the last House of Commons deliberately rejected. His objection to the Motion was based on experience. He saw great danger in the policy advocated by Members from Ireland. It was the policy of the Intransigentes—a policy reconcilable with neither a Monarchy nor a Republic; and referring to the debate which took place in that House the preceding day on the Address, he noticed one serious omission. The right hon. Gentleman the Member for Greenwich (Mr. Gladstone), with the ability that he could ever command, then stated

the reasons which had actuated him in recommending to Her Majesty an abrupt Dissolution. The right hon. Gentleman stated that the Government was bound, not only to look to its position in that House, so far as its being supported by a majority was concerned; but that the Government should also look to the indications of opinion manifested by the occasional elections which vacancies might have created, and to take the result of these as indications of the opinion of the country. He (Mr. Newdegate) was not about to dispute that conclusion; but, at the same time, it tended to this, that, in the opinion of the right hon. Gentleman, Ministers were not to hold office solely upon their responsibility to Parliament. He was still more struck by the omission of all notice of another fact; that, after the right hon. Gentleman had been informed, no doubt by the electoral agencies, which so ably served his party, and by the newspapers, and by common report, that the elections were likely to transfer the majority which he had commanded to his political opponents, the right hon. Gentleman resigned office without ever meeting the House. In the year 1868, after the General Election in that year, the same course was taken by the right hon. Gentleman the First Lord of the Treasury. He recommended a Dissolution. He appealed to the country. He was given to understand by his election agents, by the newspapers, and by common report, that he would not find himself at the head of a majority in this House, and the right hon. Gentleman resigned office without ever meeting Parliament. He (Mr. Newdegate) held that the practice was an invasion of one of the great principles of the Constitution. By the Constitution of this country the appointment of the great officers of State rested with the Crown, but also by the practice of the Constitution those great officers of State, the persons holding those offices, were not justified in continuing in them unless they could command the confidence of Parliament. There were other forms of government in the world. In France the head of the State, whether it be a King, an Emperor, or a President of the Republic, was the responsible power. In this country, on the contrary, the responsible power was the Parliament, and he strongly objected to the practice, to which he had alluded as being in

contravention of a great principle of the Constitution, upon two successive occasions, of the Ministers of the Crown recommending a Dissolution of Parliament, and then failing to meet Parliament, in order to afford Parliament, as the legitimate representation of the people, the opportunity of expressing the feeling of the nation, whether that feeling be one of confidence in the Government which recommended the dissolution, or of confidence in their political rivals. It appeared to him (Mr. Newdegate) that this omission constituted a grave departure from Constitutional practice. As to the proposal before the House, he trusted it would be speedily rejected. It was indefinite and crude, completely inchoate, and a mere phase of agitation for ulterior objects. He had been 31 years a Member of the House, a witness of the anxious endeavours of successive Houses of Commons to satisfy and to pacify Ireland by concession. He regretted to see so many Members for Ireland combined in support of the present crude proposal, after the labours of the last Parliament which, to gratify Ireland, violated the feelings of the people of England and Scotland. It now appeared that so deeply ungrateful were the people of Ireland for what was then done, if they were not misrepresented, that they now contemplate an attack on the Constitution of the House of Commons.

MR. GLADSTONE: I need make no apology for addressing the House when it is considered that the debate, although short, has been one of many branches, and that it concerns the conduct of the late Government more than that of the present Administration. In particular I am anxious to acknowledge the perfectly legitimate character of the appeal made to me by the hon. Gentleman (Mr. Newdegate). In addressing the House last evening I confined myself strictly to the points that were then raised, with an exception to which I need not now refer; but the point to which the hon. Member has referred is one of much constitutional importance, and I am glad he has afforded me an opportunity of offering a word of explanation. He has stated the doctrine and the practice of the Constitution with perfect accuracy. It is to the Crown that the selection of Ministers is intrusted, and the advice of Parliament is that to

which the Crown has regard in the selection or continuance of Ministers. As a general rule it has been—and, in my opinion, it ought to be—the practice that transactions relating to the accession and retirement of an Administration ought to be conducted between Members of the Administration, the Crown, and the Houses of Parliament. The hon. Member observes that we retired from office without awaiting the judgment of Parliament, and he is aware that we, in so doing, followed the precedents set by the previous Ministers. But the conduct of that Ministry was exceptional, and had regard to the peculiar circumstances of the case. Our own proceeding also had not reference to the precedent of 1868, except so far as this—that it was a deviation from a sound general rule, but a deviation brought about entirely by considerations of practical convenience and advantage to the country. It should be known and remembered that in former times it has been the practice of a Government that has not succeeded in obtaining a majority at a General Election to refer the decision to the arbitrament of Parliament. And I will not disguise from myself that although no practical danger could happen in the instances which have lately occurred, yet it is conceivable that a Government that had been guilty of serious malversation might seek, by the immediate surrender of office, to avoid the judgment or to weaken the force of the judgment which it might have to anticipate from an adverse House of Commons. In the present case we were guided exclusively by the consideration of time. The new Parliament was to meet on the 5th of March. If we had met on that day we should have proceeded to business on the 9th or 10th of March. An Amendment would then have been moved on the Address, which would have infallibly led to a debate of very great length, involving the whole course and conduct of the late Administration. It would probably have been not before the day on which I am now addressing the House, or some day very near it, that that debate would have come to an issue. Under these circumstances, although the issue would have been certain, yet it would have been postponed by several weeks, and the inconvenience that we have already suffered in respect to the



Business of the House would have been so much aggravated that it would have been almost impossible for the Government to approach, with a fair opportunity, the consideration of the practical legislation to be accomplished during the Session. Whether we were right or wrong, it was the strong feeling of the Government, and equity demanded of us that we should interpose no unnecessary delay in the way of their immediate accession to office, and the execution of the duties which devolved upon them. After what had happened these were the considerations which led us to the course we adopted, and although it is a course which was justified by the circumstances, it is one which ought not to be adopted in the absence of strong justifying circumstances. I come now to the Amendment before the House, and it will be no matter of surprise to hon. Members if I cannot hesitate, on many grounds, to vote against it. I cannot avoid saying, as it appears to me, that the House has some title to complain of the course adopted by hon. Members. Why are we now for the first time acquainted with the terms of this Amendment? It is, according to them, the result of the deliberate consideration of a body of Gentlemen who represent constituencies in Ireland. [Mr. BUTT: It was only come to last night.] Some body of gentlemen who considered this matter last night. Then I am very much astonished that that body of Gentlemen, impressed as they are, and charged with a sense of the importance of their mission, could not make it convenient to themselves to take into consideration the course they were to pursue in this House, until this House was itself actually engaged in considering the Address. I ask my hon. and learned Friend whether, taking into consideration the magnitude and scope of his Amendment, it is fair to this House, and to the Members composing it, and to the gentlemen for whom he acts, and to the cause which he professes and believes himself to represent, that in this manner, on a sudden, and without the slightest opportunity of previous knowledge, we should be called upon to discuss a question which he says is one of the gravest national importance? I must own it appears to me that, if the object of my hon. and learned Friend had been to reduce to a minimum the number of those who could possibly vote with him,

he could not have succeeded better. There are two modes of handling grievances in this House. One is to endeavour to cure grievances, and the other is to endeavour to make them. And the mode he has adopted is certain to entail the rejection of his proposal by an immense majority of the House—indeed, by almost every one except the favoured few who were admitted to that secret deliberation. I will not say that the hon. and learned Gentleman intends to create in Ireland the impression that this House is actuated by a spirit hostile to Ireland; but if that had been his intention—if he had wished to create an appearance of opposition on the part of this House to the interests of Ireland—I do not think he could have selected a course better calculated to promote such a purpose than the course upon which he has actually decided. What is it my hon. and learned Friend asks us to do? He says he has framed a perfectly intelligible plan by which affairs exclusively Irish are to be discussed in an Irish Parliament, but that affairs not exclusively Irish are to be discussed in this Parliament; and the Members representing Ireland are to come here for that purpose. But my hon. Friend (Mr. Newdegate) has pointed out that even if this misty Resolution were passed, the plan must still be judged as it stands, and that plan is this—that exclusively Irish affairs are to be judged in Ireland, and that then the Irish Members are to come to the Imperial Parliament and to judge as they may think fit of the general affairs of the Empire, and also affairs exclusively English and Scotch. [Mr. BUTT: No, no!] It is all very well for Gentlemen to cry “No” when the blot has been hit by the hon. Member opposite (Mr. Newdegate). My hon. and learned Friend says he has produced a plan, although in another part of his speech he said he had not produced a plan, but there would be no difficulty in devising such a plan as he suggests; well, I want to know in what portion of his plan are we guaranteed against the danger that our friends from Ireland who shall be invested with exclusive power over the consideration of Irish affairs in Dublin may come here to meddle with matters exclusively English and Scotch? [“Hear, hear!”] I gather from these cheers that they are perfectly ready to introduce such a measure, and that they are perfectly willing to have a clause by which Members of this House

shall be precluded by law from dealing with a number of measures which are submitted to the consideration of Parliament; and that is one of the points of the admirable plan to which my hon. and learned Friend refers—that Irish Members are to deal with Irish affairs, and with Irish affairs exclusively. And what specimen of affairs “exclusively Irish” has been laid before us by the right hon. Member who seconded the Amendment of my hon. and learned Friend? Why, that 13 unfortunate prisoners are now languishing in the dungeons of England. That is one of the exclusively Irish affairs that will have to be decided by a Parliament sitting in Dublin. My hon. and learned Friend is a great deal too acute—he is far too good a tactician to submit such a ragged scheme as that to the judgment of the House; therefore, what has he done? He has not called upon us to adopt it—he has, in fact, carefully told us not to do so, and he has told us that what he denominates Home Rule is not now submitted to the decision of the House. He knows a great deal too well to ask that. He knows if he ever proposes such a plan for remedying national dissatisfaction—if it exists in Ireland—the plan will be carefully examined. We shall first inquire whether it be intelligible before we inquire whether it be expedient. Before he thinks of asking a vote of the House on the scheme he proposes, what is the proposition he submits? He says great dissatisfaction exists in Ireland, and we are to promise to inquire with a view to the removal of this dissatisfaction. Taking my hon. and learned Friend on his own showing, does he think, if dissatisfaction exists in a country, the vague promise of an intention to inquire into it can be held a fitting mode in which a great Assembly like the Imperial Parliament should meet that state of things? I say, on the contrary, it is a dangerous and tricky system for Parliament to adopt—to encounter national dissatisfaction, if it really exists, with the assurance which may mean anything or nothing—which may perhaps conciliate the feeling of the people of Ireland for a moment and attract a passing breath of popularity, but which, when the day of trial comes, may be found entirely to fail them. It is a method of proceeding, which whatever party may be in power, or whatever measures may be adopted, I trust this House will never condescend

to adopt. And why are we to adopt this vague, delusive, and even unworthy mode of meeting the complaints of Ireland? Is there anything mystical in the grounds and causes of these complaints? On the contrary, my hon. and learned Friend sets them out. I took down five of them. One was the state of the law with regard to the election of sheriffs. But there are 105 Representatives of Ireland in this House—have these Representatives of Ireland endeavoured to procure a change in the law as regards the election of sheriffs, and have they been prevented from obtaining it by the decision of the Representatives of England and Scotland? [Mr. BUTT: Yes.] I think not. But when my hon. and learned Friend makes his proposal for such a change in the law he will have the opportunity of verifying the statement he seems inclined to make. My hon. and learned Friend in drawing a comparison between the English and Irish franchisees—in England household, and in Ireland a rating suffrage—forgets that Scotland has a rating suffrage as well as Ireland, and then what he considers is peculiar in his complaint entirely disappears. If in 1868 when the Irish Reform Bill was passed the rating franchise was a grievance to Ireland, why was it not generally opposed by Irish Members? No such opposition took place, and unless you can show that they were prevented from giving due effect to their wishes by the obstruction of a mass of English Representatives there is no cause on which to found such a grievance. If, again, my hon. and learned Friend thinks that the harsh operation of the Arms Act should be restricted, why does he not make a proposal to the House on the subject? Fairness and equity towards Parliament and the country require that some proof should be given of the incapacity or unwillingness of English and Scotch Members to give effect to the wishes of Irish Members before charges are made against them; but no such attempt has been made to-night. My hon. and learned Friend condemns the state of the law in Ireland; but he has not said one word to show that it is not as much due to the action of the Representatives of Ireland as to that of the Members for England and Scotland. Another complaint was with regard to the constabulary force in Ireland. My hon. and learned Friend complained

bitterly of the multiplication and character of that force. But has any Irish Member ever moved to reduce the numbers of the constabulary? The impression hitherto has been that any attempt to reduce it would be exceedingly unpopular with the Representatives of Ireland; and I am not aware of any instance in which a proposal was made by any Irish Member to reduce that force on the ground that the great numbers to which it had been raised, giving it somewhat the character of an army, constituted a grievance to Ireland. It therefore appears to me that equity demands of my hon. and learned Friend that he should try and test us a little in particular proposals before making these sweeping charges against the Imperial Legislature. I cannot quit this subject without recording the satisfaction with which I heard one declaration made by the right hon. Gentleman who seconded the Amendment (Mr. Brooks). My hon. and learned Friend said that Ireland has entirely given up the idea of separation from this country; and the right hon. Gentleman who seconded him said—and I heard him with satisfaction—that dissatisfaction was rife in Ireland, but disloyalty was rare. Whatever difficulties may obstruct the path of this House in future Irish legislation, I, for one, accept these statements with undoubting belief and lively satisfaction. I believe them founded in the truth of the case. They are marks of the advance already achieved, and encouragements to administer equal and impartial justice to the people of Ireland, in common with and on the same principles as to the people of England and Scotland. Now, a few words on the attack which has been made upon me by the hon. Member for Lincoln (Mr. Chaplin). He thinks it a great pity that there has not been an investigation into the causes of the fall of the late Government, which in his view would have been highly instructive. Such an investigation may, no doubt, be highly instructive. We, in our silent retirement, have derived much instruction from recent events; and those who live long enough to give proof of the effect of the instruction and correction we have received may show that we are sadder and wiser men. I do not deny that if the House had nothing else to do it might be highly interesting to have a long, protracted, thorough inves-

tigation into the causes of the fall of the late Government; but I must say, if such an investigation is to take place it must be conducted with far greater precision and a much larger degree of care and accuracy than characterized the short and succinct remarks of the hon. Member for Lincoln (Mr. Chaplin). What did he say? He spoke of his good old friends the Licensed Victuallers, and long may he continue to enjoy the luxury of so describing them. He said they had resented the wrongs done them by the late Government. But what measures had been passed by the late Government with respect to the Licensed Victuallers? I recollect the passing of one important Bill with reference to the Licensed Victuallers, but it was not the Bill of the late Government. It was not one which was debated as between party and party, but one which was carried with the general assent of the House. So much for the accuracy of the hon. Gentleman about his good old friend the Licensed Victualler, his friendship for whom has not sufficiently stimulated him to induce him to face the labour of acquainting himself with the dry details of the case. The hon. Gentleman says we have applied to the Irish Church the principle of confiscation; but that term has two meanings. He does not mean we took away from any man the property to which by law, or by a reasonable, equitable, and liberal construction of his claim he was entitled. Such a statement would be wholly unreasonable, and the hon. Gentleman would not give his valuable adhesion to it. When the hon. Gentleman says we sanctioned the principle of confiscation, he means that because there were 600,000 people of one religious persuasion and nearly 5,000,000 of another, and we, after satisfying every individual claim, dealt with the residue of the property of the majority, therefore, we were guilty of confiscation, and that to the lesser sect, by some sacred principle of law, this property must ever attach. I will not re-open a debate which has occupied years of the time of Parliament; but I must say it is an extraordinary use of language to treat such a dealing with property by Parliament as exposing it to the odious charge of confiscation. The hon. Gentleman said this confiscation led to the introduction of coercion into Ireland. He seems to think the

extraordinary constitutional laws now in force in Ireland are more severe than they were before the Church Act was introduced. Here, again, the hon. Gentleman, assuming the office of critic, has taken no pains to acquaint himself with the facts of the case. If he had given the slightest attention to the subject, he would have known that, whereas partial restriction of the liberty of the subject does now exist, immediately before the proposal of the Church Act, and certainly at the time we came into office, the Habeas Corpus Act was suspended. So that the hon. Gentleman is entirely wrong, and he ought to have been led to a precisely opposite conclusion; because whether these extraordinary provisions in Ireland are justified or not, they are of a less extraordinary and less stringent character than those which were in existence immediately before the Irish Church Act. But the indignation of the hon. Gentleman is chiefly excited by the Land Act. The Church is a sacred subject, but the Land is a subject more sacred still. And what are the statements of the hon. Member with respect to the Land Act? Here again he has his vocabulary of hard words, and a vocabulary of hard words is a weapon of which it is in the power of any hon. Gentleman, whether possessed of the considerable talents of the hon. Member opposite or not, readily to possess himself. He applies the epithet of "confiscation" to the Irish Land Act. I presume if we have partially confiscated the land of Ireland the meaning of that is that the land is of less value now to the landlords than it was before the passing of the Act. [Mr. CHAPLIN: Not necessarily.] Then the process of confiscation must have been highly beneficial to the proprietors. If that be the latitude assumed by the hon. Gentleman in the construction of his words, I have some difficulty in dealing with him. I suppose that within the last three or four years no cause except that of legislation has operated upon the value of landed estates in Ireland, and the prices at which landed estates have been sold since the Act came into operation have been higher than they were before it was introduced. So much for the charge of confiscation made by the hon. Gentleman. But if the proposal of confiscation was so dreadful, what were the hon. Gentlemen and others in this

House about to allow the stages of this wicked Act to pass without a protest? There was a division on the second reading, and the numbers were—ayes 442, noes 11; majority 431. If the Government were guilty, what was the character of the House of Commons? If the majority were guilty, what was the character of the minority—that minority which so largely assisted to swell the numbers I have quoted? To refer to names would be invidious; but there is no invidiousness in taking them in alphabetical order; and the second name on the list is that of a right hon. Friend of mine belonging to the Government—Sir Charles Adderley; then follow those of such staunch political opponents as Mr. Amphlett, Q.C., and Colonel Annesley. If the Act was of the character described it was a most extraordinary circumstance there should have been such a dereliction of duty on the part of hon. Members opposite, and of the party with which the hon. Member is connected. But this confiscation Act drew forth commendations from Conservative candidates for counties in Ireland. Said one—

"With regard to the question of the Land Act I beg to refer you to the votes I gave during the passing of the Land Act, every one of which was given in support of its principle, but at the same time directed to make it clear and simple. The best proof of my sincerity on the subject is to be found in the relations which exist between my father and his tenants." These are the words of Lord C. Hamilton, than whom and his family none more orthodox, politically speaking, are to be found in the ranks of the party opposite. The statements of the hon. Gentleman were a series of extravagances. If we are to have an examination of the conduct of the late Government, which, I say, we must deprecate, it is needful it should be conducted with care and impartiality, of which the speech of the hon. Gentleman, however spirited and able it may have been, seemed to offer a very sorry specimen. With regard to the Amendment, I hope we shall be permitted to arrive at an early vote upon it, and that my hon. Friend (Mr. Butt) will exhibit that zeal with which he is so filled by legislation for Ireland, by constant attendance in this House, by incessantly—or at least frequently—producing practical proposals, by making himself master of all their details, by fairly challenging the

judgment of Parliament, and by only condemning it when he has found that it is unable or unwilling to discharge its duties.

LORD ROBERT MONTAGU said, he would not condemn the course adopted by the right hon. Gentleman (Mr. Gladstone) in declining to sanction the Motion of the hon. and learned Member for Limerick (Mr. Butt); for if he had himself been consulted upon the question he should have advised that no Motion should have been made upon the Address. If the hon. and learned Member intended to divide the House upon his Motion he would prejudge the question, and he (Lord Robert Montagu) agreed with the right hon. Member for Greenwich that the hon. and learned Member would be taking the most certain course for making very few Members vote with him. He (Lord Robert Montagu) never entertained the notion that there should be a separate Irish Parliament, and yet that Irish Members should interfere in English and Scotch affairs; it would be unjust and unreasonable. What was asked for was bare justice—equal treatment with the rest of the Empire; but Home Rulers objected to being swamped in an English Parliament, and to having the voice of Ireland ignored altogether. What we claim, we claim as of right under the Constitution. The right hon. Gentleman supposed two alternatives—either that Irish Members were to enter the Imperial Parliament and be precluded from voting upon a certain class of subjects, or else that things were to remain as they now were. Those were not alternatives. What Irish Members desired existed in Ireland until 1800. It had been proclaimed by the Queen in Orders in Council; it was carried out in every Colony, in the Isle of Man and the Channel Islands; and why did Ireland not have it? The right hon. Gentleman asked what were Irish affairs. The right hon. Gentleman was in the House when it provided a Parliament for the Colonies, and especially for Canada; and did he ever ask what were Canadian or Australian subjects and what were English subjects? Did he know what subjects belonged to the Isle of Man or the Channel Islands and what to England? The drainage of the Shannon, for example, was a matter that concerned Ireland exclusively; and there were many others which belonged to Ireland and

not to England. Did not the King and Parliament of England set their seal to this—that the Irish Exchequer should be for ever separate from that of England? And yet in 17 short years the faith of King and Parliament was broken. Had faith been kept that the revenue and expenditure of Ireland should be kept separate? Not at all; and so it came to pass that the proportion of taxation which Ireland was to pay had been far exceeded, and what England had pledged her word to had been totally disregarded. The debt of Ireland was very small at the time of the Union, and England pledged herself that the proportion of taxation paid by each country at the time should be maintained. But the moment the Exchequers were amalgamated the debt of Ireland was increased by fraud and by falsehood. The hon. and learned Member for Limerick had done an unwise thing in manufacturing a new word. "Home Rule" presented no definite meaning to a man's mind; but what idea did "self-government" raise in the mind? Why, that of the ancient Constitution of England? At one time every parish could by Common Law manage its own affairs, and do everything, and the towns, by their ancient charters, could govern themselves. It was true we had departed from that policy in after years, but the Municipal Act was an attempt to revive it; and, though London consisted of parishes, we had federated them by two Parliaments—the one the Metropolitan Board, the other the London School Board. But self-government was the ancient Constitution, not only of England, but of all Europe; and it was at this day the Constitution of America and of a great part of Asia. Localities were federated into Provinces, Provinces into States, and until recent times States were federated into Empires; for in those days there were Emperors and Empires, but in these there were none. In those days an Emperor was a Sovereign elected by his fellow Sovereigns to rule over a federation of kingdoms, so that there was a hierarchy of Sovereigns. Why, then, was it said that this proposal of self-government for Ireland was unconstitutional? It was the Constitution given to the Colonies; it was merely carrying out an Order of Council, substituting the word "Ireland" for the name of a particular colony. Self-government was a

synonyme for liberty. To manage one's own affairs was freedom; if a man was a lunatic, or had committed a crime, he was not allowed to manage his own affairs. Self-government was the old Tory doctrine; it was true Conservatism. Tories said now—"We will support the Constitution;" but their mistake was this—that they never asked themselves what the Constitution was. Home Rulers were, in his opinion, the only good Constitutionalists, the only good Conservatives. Liberalism was centralization. Self-government, or the management of one's own affairs, meant the election of persons whom the locality knew to be most fit to manage its affairs; it thus had a strong aristocratic element in it—he meant aristocratic in the ancient sense of "the best" men. But what was the doctrine of the Liberal party? It was a doctrine which they obtained from the Declaration of the Rights of Man in 1789—the doctrine of Centralization. In France, when the Revolution of 1789 was brought about, the whole country was speedily centralized, and it was that centralization which had since been the cause of innumerable revolutions. In Austria the Radical Germans were straining every nerve in favour of centralization, while the National party supported federation. In Switzerland the Internationalists aimed at centralization and the National party at federation, or Home Rule. Therefore, he maintained that this doctrine of self-government was eminently a Conservative doctrine, and later on he would show that it was the doctrine of the Prime Minister of this country. Let the House think of a Colonial House of Representatives, the number of whose Members was 70. Each constituency would, therefore, have 1-70th share in the government of the Colony. If two such were amalgamated together, each constituency would have but half of the former share. Multiply them by 10, and they would have a House very like the House of Commons, and each constituency would hardly have anything to say to the Government of the country. But suppose that all the Colonies and the Mother Country were merged together in one Representative Assembly, what would be the result? Why, that each of the Colonies, and the Mother Country also, would be swamped. If a Canadian question, for example, arose, Canada

would be out-voted by a number of representatives who knew nothing about Canada. If that were true about Canada, it was true for England also. An amalgamation of Houses of Parliament, therefore, tended not to liberty and good government, but to tyranny and bad government; because legislation was carried out in them by persons who knew not the circumstances of the country for which they were legislating. The amount of business in such a House would be so great that it must be scamped, and the multiplicity of the questions arising would be such that Cabinet Ministers would always have to be attending Cabinets, and would have to trust on every question to the guidance of their own clerks. This was the system which had ruled so fatally in France. If this was a political question, it made no difference whether there were 3,000 miles or 100 miles of salt water between the two countries. If it were a true principle for Canada, it was true for England also, and if that principle were carried out for a little island between England and Ireland, why should it not be carried out in the case of Ireland as well? Parliament once learned a most terrible lesson of self-government. In 1775, Parliament was eager for supremacy, as perhaps it was now, and thought to rule our North American Colonies, but ruled them badly. She was ignorant of their circumstances, and the consequence was the Colony was irritated and at last broke away from England, and the effect was that in 1778 an Act was passed disavowing all future interference with the Colony or its dependencies. The United States consisted now of 34 States. Each had its Parliament; they were federated together, and under that system the United States had grown great and powerful. He would now allude to the Order in Council in which Her Majesty stated that all the Colonies before the 19th century had granted to them their own Legislatures by Letters Patent from the King, but that since the beginning of the 19th century Parliament invariably granted Legislative Assemblies to every Colony. It went on to say—"Whenever a Colony can bear the expense of Government out of the local revenue this ought to be the invariable practice." It then stated that municipal institutions ought also to be created throughout all the Colonies, and

*Lord Robert Montagu*

added that "the system of local government has been one of the main elements of national greatness and of the stability of the British Constitution." In that Order, Her Majesty in Council set forth the doctrine that the advocates of Home Rule proclaimed, and for doing which they were twitted with an intention of destroying the integrity of the British Empire—a desire which had not entered into the Irish mind, and which was repudiated as soon as it was mentioned. He had said that this was a grievance 300 years old, and he would show that it was. Sir John Davis, who was Attorney General in the reign of Queen Elizabeth, stated that the cause of all the miseries of Ireland was this—that England persisted in legislating for Ireland, not for all the Irish people, but for the Presbyterian and Protestant minority as against the wishes of the Catholic majority. Henry VIII., as they knew from State Papers, coolly and calmly intended and designed to exterminate the Irish because they would not abandon their religion. The answer of the Lord Deputy and Council in Ireland put this idea of King Henry VIII. beyond all doubt. Queen Elizabeth was so savage in her treatment of Ireland, through her Lord Lieutenant, Henry Sidney, that they were told the churches throughout the country were roofless, and the ditches and waysides filled with the skulls and bones of priests and people. James I. carried on the same policy. They had all heard of the famous Plantation of Ulster, which meant the driving out of the Irish and the establishing in their places of English Calvinists and Scotch Presbyterians—each recipient of land being made to swear that he would never employ an Irish Catholic. Charles I. tried to abandon that policy, but they could read in the Journals of the House that Parliament resolved, on the 20th of September, 1643, that the King had no right to make peace with the Irish, and that if a cessation of arms occurred it would be dangerous to the Protestant religion. This cruelty was carried on merely to exterminate the Irish. The Government of Lord North in subsequent times received such a check that the Parliament of 1782 was the consequence. A sorry Parliament it was, because only a fifth of the people—and these only Protestants—had the franchise; while, in a House of 300 Mem-

bers, 219 seats were in the hands of persons who openly and avowedly sold seats to the English Ministers. Yet even this Parliament in 1793 enfranchised the Catholics, gave them a franchise, which they never enjoyed, as there was no Dissolution until after the Union. This was the state of things when Pitt came into power, and he determined to get rid of the Irish Parliament, because, although Protestant, it had acted on an enlightened policy. Pitt sent the Irish regiments to foreign countries, and replaced them in Ireland by 130,000 English, Welsh, and German soldiers. He suspended the Habeas Corpus Act and proclaimed martial law everywhere. Then he tried the softer side, and offered £10 to every militiaman who volunteered for foreign service, and 10 regiments so volunteered. Simultaneously with all this, his Lord Lieutenant Lord Cornwallis, to induce the Roman Catholics to support the Government, promised them that if the Union were agreed to, their Church should have a distinct endowment of its own, that they should have their own Universities and seminaries, and the passing of the Act of Union should be followed by Catholic emancipation. These promises, however, as had been shown in Parliament by Lord Holland, the Earl of Moira, and other Liberal statesmen, had been completely falsified. In the first year the Union was utterly repudiated by Parliament and people; but in the next many places were given away, 55 Peerages were created, and £3,000,000 was given to Members of the Irish House of Commons. With these facts before him, he was justified in saying that the Union of the two countries had been brought about by falsehood, fraud, and perjury. For his part, he did not regard that Union as valid. The way in which it was brought about was fatal to it; but lest any doubt should remain in the minds of any one as to the object of the Union he had only to refer to what was stated by Mr. Canning, who advocated it in the English House of Parliament, and by Lord Castlereagh in the Irish. Canning advocated the Union in the English House of Commons, on the ground that that or some other plan for the fortification of Protestant ascendancy must be adopted, while Lord Castlereagh told the Irish Protestant Parliament that it would insure the stability and permanence of



the Established Church. He had not done with the grievances of Ireland yet, because though England had of late years proclaimed a policy of religious liberty and respect for the rights of conscience, it seemed to be generally forgotten that up to recent times her policy had been one of religious persecution. When Pitt proposed to establish religious equality in Ireland, he was vigorously resisted and defeated; and later on, in 1829, when Peel proposed and carried Catholic emancipation, it was not from any sense of justice or respect for the rights of conscience, but simply, according to his own admission to Bishop Jebb, because he was terrified into it by the threatening state of affairs. That was not the case now, however, and it was the glory of the present Prime Minister that he was the first to raise his voice in favour of religious freedom and equality in a speech he made in 1844. He would not quote from *Hansard*, the incorrectness of which was well known, but from a collection of speeches published by the right hon. Gentleman; and though the speech in question was delivered in 1844, the right hon. Gentleman stated in 1868 that, though it might have been expressed with the heedless rhetoric which was the appanage of those sitting below the gangway, its sentiment in his historical conscience was right. The Prime Minister laid down in it the principle—"that the Government of Ireland should be on a system the reverse of England, and should be centralized."—[3 *Hansard*, lxxii. 1012.] Now, since it could not be centralized in London, and yet be the reverse of the English system, it must, if centralized at all, be so in Dublin, which was the very thing now demanded. "These principles"—the principles of self-government—were, he added,—

"Tory principles, the natural principles of the democracy of England. They might not be the principles of those consistent Gentlemen whose fathers had bled in England for Charles I., and who now would support in Ireland the tyranny established by Oliver Cromwell."—[*Ibid.*]

Cromwell desired to clear Leinster and Munster in the same way as Ulster, the Act for that purpose being nick-named—"to Hell or Connaught," and he offered rewards for the capture of three noisome beasts—the wolf, the priest, and the Tory—the Tory being defined as a desperate character without principles,

led by needy landed gentlemen. The right hon. Gentleman continued—

"Let them forget two centuries of political conduct for which Toryism was not responsible; let them recur to the benignant policy of Charles I.; then they might settle Ireland with honour to themselves, with kindness to the people, and with safety to the realm."—[*Ibid.*, 1013.]

Under that policy, as stated by a contemporary writer, quoted by the right hon. Gentleman, the majority of the Parliament, many Members of the Council, several of the sheriffs, and a considerable number of the magistrates were Catholic, the municipalities being also full of them. The right hon. Gentleman proceeded to say—

"Did not Mr. Pitt, the last of Tory statesmen, propose measures for the settlement of Ireland"—an equal endowment for the Catholic Church and the erection of Catholic Universities and seminaries—"which, had they been agreed to by Parliament, would have saved Ireland from her present condition? They would have had the Roman Catholics of Ireland emancipated at a very early period, and they would have had the Church question, too, settled at a very early period."—[*Ibid.*]

In that enlightened and statesmanlike speech, then angrily received, the right hon. Gentleman was the first to proclaim the policy of liberty of conscience now received with equanimity. In advocating the establishment of Home Rule, or what he preferred to call self-government in Ireland, he felt not only that he was acting on the principles of the old Tory party, and in the spirit of the speech of the right hon. Gentleman in 1844, but that they would by that succeed in making Ireland contented and prosperous. In 1799, the population of Ireland was somewhat similar to what it was now, and about a corresponding number of sheep and cattle were raised. But there was this difference. At that time there were only 800 sheep, and 14,000 beasts exported; while in 1870, 620,834 sheep and 415,673 cattle were exported. What was the terrible meaning of that? It meant that nearly all the cattle and sheep raised in Ireland in 1799—the year before the Union—were eaten by the people; whereas now they had to be sent out of the country and consumed elsewhere. This spoke volumes for the present misery of Ireland and her greatness under self-government. But they then not only raised all the cattle, but they grew all the corn they needed; whereas now they could not

afford to grow corn, and had to deport their cattle and sheep. Lord Plunkett, moreover, in 1800, spoke of Irish trade and manufactures as prospering beyond any other country of equal extent and as advancing within a few years with astonishing rapidity, while Lord Clare, the opponent of Grattan, said no other country had advanced with equal rapidity in commerce, agriculture, and manufactures. That was the effect of self-government in Ireland. What was the proposal now made to the House? They were asked to consider if any grievances existed; and, if so to see how the causes of those grievances could be removed. That was an humble, modest, and, he might say, almost a timid request. If it was not granted what might happen? There were now in the United States alone 14,000,000 of Irish, by birth or descent. In the days of the American War of Independence, there were a few Irish Roman Catholics there who had been driven from our shores by persecution, and the famous "Pennsylvanian line" was formed out of them. 16,000 Irishmen fought for Home Rule in America, and it was they who gained it. Besides the 14,000,000 of Irish now in the United States, there were, he knew not how many thousands in our Colonies, and many more thousands in all the great towns of England and Scotland. Let it not be imagined that the poor were without their history and their traditions. The poor clung to the history of their families much more closely than the rich. The rich were diverted by pleasure, carried away by amusement and a thousand employments; but the poor treasured up their traditions from year to year and from century to century. Did the House think they had forgotten those 300 most miserable years of persecution, cruelty, and bloodshed? Would it continue a policy that would exasperate the Irish, not in Ireland alone, not in our great cities alone, but in our Colonies, and make, not one, but ten thousand "Pennsylvanian lines?" It would be the greatest stupidity for any Parliament to do so. It was very possible now—for it was not too late—to conciliate all those Irishmen in our own Empire and in the United States by merely carrying out the policy of the Prime Minister, by adhering to true Conservatism and old Tory principles—namely, by giving Irishmen

their self-government. But he might be told from the other (the Opposition) side of the House that surely a better day had dawned for Ireland, that they should look to what was done in 1868, 1869, and 1870. Now, he did not think very much of the Church and the Land Acts. They were good in themselves, perhaps; but how were they granted? Russia and the United States had become friends over the cession of Alaska, and had agreed to stand by each other, the one in acquiring universal empire in the East, and the other in acquiring universal empire in the West; and those facts our Government knew. They also knew that the Fenian conspiracy had been promoted by American agents, to keep England with her hands full at home and prevent her from interfering. Then it was that the late Government came down and proposed that sham arbitration by which £3,000,000 were given to the United States, besides the Straits of San Juan and an indemnity for the Fenian Raids. They proposed, at the same time, the Church Act and the Land Act, thinking thereby to conciliate America on the one hand, and Ireland on the other. Did the House not know the reason why those Acts were passed? It was no change from the old policy of 1782, 1793, and 1829, when concessions were extorted from them by fear. In conclusion, he appealed to those who now accepted the principles of liberty of conscience and equality between Churches to repeal the Act of Union which was associated with a policy of religious intolerance and Protestant ascendancy.

CAPTAIN NOLAN said, the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had reproached the Irish Members of Parliament with not having stopped or opposed measures which they had to-night complained of. As to the truth of the reproach, he admitted that it might be true as related to many of the former Irish Members; but he denied that it was ever true as related to the Irish electors. It was a fact that in former times many of the Irish County Members were returned by territorial influence despite of the popular desire; but now there was a considerable number of Irish Members in the House in accordance with that feeling. Formerly the Irish borough Members did represent the Irish boroughs; but he denied that the Irish

people could be held responsible for the action or in-action of many of the former County Members, who had been returned, not by the people, but by the magnates of the country. If the Irish Members were allowed to settle Irish questions, or most of them, fewer complaints would exist. As to the present county representation of Ireland, it would be found that three things were insisted upon in the addresses of the candidates for the counties at the late General Election—Home Rule, fixity of tenure, and denominational education; and if a division were taken on any one of those points, it would be found that the votes of the majority of the Irish representatives were in accordance with the popular views. With respect to one of them—Home Rule—as his hon. and learned Friend the Member for Limerick (Mr. Butt) did not seem disposed to enter into the question fully that evening, he would abstain from discussing it at any length. He thought, however, he might disclaim for those with whom he acted that they had any wish to legislate for matters affecting exclusively England or Scotland, provided they were allowed to legislate for themselves in matters relating to Ireland. But then it was said they wanted separation. That, he must contend, was by no means a correct interpretation to put on their views. They did not want separation, or anything that would lead to it. They did not want a separate Army or Navy, nor did they seek for anything which would weaken the authority of the Monarchy, or which might eventually lead to the disruption of the Empire. He might perhaps be allowed, in passing, to observe that Norway had an Army and Navy separate from those of Sweden, and that the Militia of Hungary was separate from that of Austria. Those who advocated Home Rule for Ireland had, however, no wish to take any military power away from the central authority. The right hon. Gentleman the Member for Greenwich had, he might add, accused his hon. and learned Friend near him of not having thought proper to introduce a Bill dealing with corporate privileges, although he had spoken upon that matter as involving a grievance. The fact, however, was that his hon. and learned Friend had introduced two Bills granting certain privileges to

corporations, and that on both occasions the Government of the right hon. Gentleman had opposed those measures. Descending to a smaller question, but one which, he assured the House, gave rise to no inconsiderable amount of dissatisfaction in the rural districts, he wished the right hon. Gentleman the Prime Minister would relax the Coercion Laws somewhat—certainly so far as to allow farmers to have guns. It was a fact that in his county the rooks had lost all fear of man, and did such an amount of damage in consequence to the wheat and potatoes that it was an absolute necessity that farmers should be allowed to use some weapon in order to drive them off the fields. In conclusion, he would remark that outside that House the Home Rulers had been accused of conjuring up factions, and of professing objects which they had not really in view. It was assuredly their wish to manage the internal affairs of Ireland subject to the veto of the Crown, but they certainly did not wish for separation.

MR. W. JOHNSTON desired to enter a strong protest on behalf of the province of Ulster against the Motion of the hon. and learned Member for Limerick (Mr. Butt). The people of Ulster were perfectly satisfied with the British connection, and were sensible of the advantages which accrued to Ireland from the fact that she was an integral part of the great British Empire. They did not desire that their connection with a nation which had added lustre and honour to the name of Irishmen should be brought to a close. They desired, on the contrary, to protest against the secret and insidious meaning of this Home Rule movement. Attempts had been made on several occasions to disguise that meaning; but the noble Lord (Lord Robert Montagu) who had spoken, he was sorry to say, from the Conservative side, with the zeal of a convert at once political and religious, had quite disabused their minds of any notion which might have prevailed that this was not really a religious question, and that the desire for Rome rule was not the actual motive of the agitation for Home Rule. The noble Lord had manifested a desire for denominational education. What did denominational education mean? It meant the handing over of the education of Ireland to the

Romish hierarchy. Those who were anxious to obtain the control of the education of the country had thrown all the weight of their influence—a very great influence, no doubt it was—into the scale of Home Rule. The noble Lord had said he did not think much of the Irish Church and Land Acts. Well, some people were hard to satisfy. One would have thought he would have welcomed the Church Act as a heavy blow to Protestantism in Ireland. It seemed, however, to have been otherwise received. He (Mr. Johnston) earnestly protested against any further attempt to conciliate a party which could never be conciliated with safety to the British Empire or honour to the British Crown. Not only in his own name, but in the name of hundreds of thousands of people in the prosperous Province of Ulster, he besought the House to pause before giving any encouragement to those who, bringing forward Motions of this kind with a pretext of moderation, were really putting in the thin end of the wedge for the dismemberment of the British Empire. The inhabitants of Ulster very well knew the object of those who were behind the scenes, who were pulling the wires in this movement. Those who were ruled from beyond the seas had not the integrity, the welfare, and the glory of a Protestant kingdom at heart. Their real object was to obtain ascendancy for a Power which neither our fathers nor we had been able to bear—to bring about, under the guise of a demand for justice, a Romish supremacy. He would have been glad to hear from hon. Members who supported this movement some words of approval and applause with regard to the gallant leader of the expedition that had just acquired additional glory for the British name. The people of Ulster did not forget that Sir Garnet Wolseley was an Irishman. Perhaps, however, the House would scarcely credit that there were men who rejoiced in the name of Irishmen, who yet had looked forward to the result of the Ashantee expedition with a desire for disaster to the British arms. Articles had appeared in Irish newspapers expressing a hope that England would be defeated; but the people of Ulster trusted that the British Army would never be defeated. The people of that province were determined to resist to the last the movement for the

dismemberment of the Empire. It was their firm desire to maintain by every means in their power—peaceably if possible, but, at any rate, by every means in their power—the integrity of the British Empire.

MR. BIGGAR mentioned that, although no Home Rulers had been returned for Ulster, one candidate belonging to that party, who stood in the neighbouring county of Monaghan, had been exceedingly near getting in. Even in Ulster, notwithstanding the result of the elections, the people were very much divided on the subject of Home Rule.

MR. MITCHELL HENRY praised the hon. and learned Member for Limerick (Mr. Butt) for the courage he had shown in bringing prominently before the House and the country the general grievances of the Irish people. If any excuse were wanted for the circumstance that those who were interested in Irish affairs had refrained from introducing this subject yesterday, it was to be found in their desire to give a fair opportunity to the Government now in power of showing a readiness to conciliate the Irish people. But surely it could not be contended that if one great portion of the British Empire was discontented, it was unconstitutional to declare that fact at the very opening of Parliament. Wherever discontent might exist in England, Ireland, or Scotland, it must affect the hearts of the people and weaken the integrity of the Empire; and he would indeed be an unconstitutional statesman who did not desire to ascertain without delay the causes of the dissatisfaction in order that, if possible, they might be removed. The subject of Home Rule had been calmly and deliberately considered in Ireland, and by the voice of the great body of her representatives that integral part of the United Kingdom had declared her firm conviction—while desiring to cement still further the bonds which united us in a common Empire—that the whole system of the government of Ireland must be changed if we were really in the future to stand shoulder to shoulder as a united, consolidated power. He regretted to hear the unfortunate words that had been used with reference to a loyal portion of the people of Ireland—namely, that in seeking for Home Rule they were advocating rebellion. If any writer or speaker elsewhere said that advocates

of Home Rule "wished to enjoy the luxury of treason without incurring its danger," he calumniated 58 loyal Members of that House; he calumniated a large number of the Members who sat for English and for Scotch constituencies. A few years ago the population of Ireland was between 8,000,000 and 9,000,000. At the time of the greatest population of Ireland the most distressing famine in modern times occurred there. They had been told that that famine was brought about by over-population. Since that time the population of Ireland, in spite of good laws and good motives, had continued to decline, and it was now little more than 5,400,000. But that which struck terror into his heart was that the forced emigration of the Irish people was going on as vigorously as it ever did within the last five or six years. Would the House believe that during the last ten months 80,000 of the population of Ireland fled across the Atlantic? The population was decreasing every year by nearly 100,000, and those who were taken away were the stalwart and the young, and they went across the Atlantic with feelings of bitter hatred to this country. It was true the price of labour had increased in Ireland. It had risen so high that at this moment the farmers could hardly cultivate their land, and the result was that during the year just closed 217,000 acres in Ireland went out of cultivation; 37,000 of those acres were converted into grass farms, but that left 180,000 acres, which had gone to absolute waste. But they were told of the increase in the number of cattle exported from Ireland that were reared on her soil, and of the increase in the deposits in the banks, and that the people of Ireland were becoming richer than they were. He admitted that there was more money in Ireland, in proportion to the population, than there was some years ago, but politicians and statisticians would do well to remember the sentiment—

"'Til fares the land to hastening ills a prey,  
Where wealth accumulates and men decay."

It was said that the deposits in the banks had greatly increased, and that Ireland was therefore richer than formerly; but he believed the real amount did not exceed £7,000,000 or £8,000,000, an accumulation which did not prove that the country was richer, but that there had been a change of habits.

*Mr. Mitchell Henry*

Formerly, and still to some extent, people buried their savings or stored them in old stockings, keeping them in their houses, while some member of the family remained at home night and day on guard. [*Laughter.*] The merriment of hon. Gentlemen was another melancholy proof that those who undertook to pronounce on the government of Ireland were ignorant of the habits of the population. They were constantly told that if Ireland kept quiet, and agitation ceased, they would attract to Ireland the magic of English capital. But there were £27,000,000 now lying idle in Ireland, which led to the conclusion that they did not want money but confidence in using it. The Irish people were discontented with their government; they had not confidence to lay out their money in the cultivation of their own soil. Ireland was occupied, as the kingdom of Ashantee had been, and as India now was, by a garrison of from 12,000 to 14,000 soldiers and an army of 10,000 policemen; and so long as Ireland continued to be governed on present principles, neither of those forces could be diminished. But if the wrongs of the people were turned into a constitutional force, they would no longer require such a standing army. All that the advocates of Home Rule asked was that the House, which did not now understand that subject, would wait till it was fully explained, and that they would believe that those who advocated Home Rule had as great a love for their Sovereign, as great a desire to retain the unity of the Empire, as hon. Gentlemen who sat in any part of the House. If there was one thing which should commend the subject of Home Rule to the attention of Parliament, it was this—that the discussion which that subject had undergone in Ireland had had the effect of weaning the people from the hopeless desire for unconstitutional courses. They believed that the day was dawning when their voice would be heard in Parliament, and when those measures by which popular feelings and wishes were to be expressed would be freely accorded to Ireland; and they hoped that one of the earliest acts of the Government would be to remove those restrictions which prevented the free discussion of public subjects, and to restore to the people of Ireland the right which belonged to them, as free men, of bearing arms, and walking at

will erect on the earth, as long as they kept within the lines of the Constitution and did no ill to their fellow-men.

SIR MICHAEL HICKS-BEACH: I have listened to this debate with a feeling of gratification somewhat mingled with disappointment. I have been gratified to hear from the hon. and learned Gentleman the Member for Limerick (Mr. Butt) that Irishmen no longer desire the separation of the United Kingdom. I have been gratified also to hear from other hon. Members who have taken part in the debate, that they are, equally with us, in favour of supporting the dignity of the Crown and the integrity of the Empire, and that among the ranks of those who have been returned to this House as Home Rulers there are men who yield in loyalty to no subjects of Her Majesty. But I confess I have also been disappointed to find, after the hopes which were held out elsewhere by the hon. Member who has just sat down, and who said that the Resolutions to be moved on the first night of the Session would astonish the sleepy benches opposite, [Mr. MITCHELL HENRY: Not Resolutions in reference to Home Rule.] that the Resolution which has been proposed and the arguments which have been adduced in support of it are scarcely of a character to correspond with the hon. Member's description. I have also been disappointed that in a debate which after all has mainly turned on the question of Home Rule—a question which, as we have been informed by the hon. Member for Galway, the Irish people have gravely considered and made up their minds upon—we have had no definite sketch whatever of what is meant by Home Rule. I do not intend on the present occasion to enter at any length into that question. I do not think this is a fitting time to debate it, and, at any rate, it is impossible to debate a proposal which has never yet been presented to this House. What I would say, however, is this. If hon. Members who have been returned to support Home Rule are, as no doubt they are, loyal subjects of the Crown and anxious to redress a constitutional grievance, as they consider it, by constitutional means, it is somewhat strange that they should have been obliged to hold a secret meeting in Dublin with a view to agree on their future course of procedure. It appears

to me that this was rather a sign that they are not thoroughly united among themselves as to what they mean by Home Rule. And when I hear the hon. and learned Member for Limerick tell us that he, for his part, merely wants such a modification in the present system as would allow Ireland to manage her own internal affairs—that is, such as are exclusively Irish; and when, on the other hand, I hear from the noble Lord the Member for Westmeath (Lord Robert Montagu) comparisons of what he requires with the present government of the British Colonies, I am tempted to ask whether they really mean that the Parliament which they propose should sit in Dublin is to consider purely local affairs, and therefore to be in the position of a larger metropolitan vestry, or whether Ireland is to be, like one of our colonies, practically self-governing, self-taxing, and without aid from the Imperial Exchequer? Home Rule, so far as I understand it, has presented itself in different shapes during the past election to different classes of people. It appears to me that every class in Ireland has interpreted the cry as put forward in the late election to mean the fulfilment of its own particular desires. The priesthood consider that Home Rule means denominational education entirely under their own control, but whether to be still supported by a grant from the Exchequer of no inconsiderable amount, I have not heard. The farmers consider that Home Rule means tenant-right in its most exaggerated form—practically a confiscation of landlord-right, and the transference of property from their landlords to themselves. Those who are in favour of the purchase of the Irish railways by the State, think the State under Home Rule is to pay for the railways, without imposing any additional burden upon Ireland. Those who think the salaries of the national teachers ought to be raised say that this object is to be secured under Home Rule, and there is hardly a wish in Ireland which has not been considered by those who are in its favour to be included under this one term of Home Rule. I will not attempt to discuss to-night how far Home Rule could give these people all they want. That may be spoken of on another occasion. But I will venture to say that if Home Rule means that Ireland is to be self-governing and self-taxing, with power

over her customs and excise, such as is possessed by one of our Colonies, that is a dismemberment of the United Kingdom. To any such interpretation of Home Rule no Government in this country could for a moment consent. Again, I wish to know why it is that, except, I think, from the hon. Member for Belfast (Mr. Johnston), we have had in the course of this debate a series of hon. Gentlemen rising as the Representatives of merely one portion of the Irish people, and talking of the wants of Ireland as a whole. Why, we know from the hon. Member for Belfast, and from the addresses and speeches of those hon. Gentlemen who have been successful at the recent elections, that in the North of Ireland separation from England could not be forced upon the people except at the cost of a war. We know, besides, that if it is sought to establish not only a House of Commons in Dublin, but also a House of Lords, the Peers of Ireland would be as a body against it, with the exception of a few whose relatives have been returned as Home Rulers by Southern constituencies. Then we know that England and Scotland are decidedly against such an alteration as is sought for. I want to know, therefore, and I hope some day we may be told, why the opinion of a portion of the Irish people is to outweigh the opinions of all the rest of the United Kingdom. Now I turn from that question to the speech and arguments of the hon. and learned Member for Limerick, and in doing so I must express a hope that we shall be able to discuss this matter without the fear before our eyes of 14,000,000 of Irishmen coming over from America to invade us. That threat which has been held out by the noble Lord the Member for Westmeath the House of Commons will, I trust, deem unworthy of consideration. [Lord ROBERT MONTAGU: I never said anything of the kind.] The hon. and learned Member for Limerick has spoken of the grievances which are felt by Irishmen owing to the provisions of the Peace Preservation Act, and the part of his Resolution referring to that subject, runs in the following words:—

"That under that system the Irish people do not enjoy the full benefits of the Constitution or of the free principles of the Law."

Now, I do not deny that the Peace Preservation Act and the Westmeath Act

are measures of an exceptional and a coercive character. They were passed by the late Government in accordance with the opinion of a vast majority of this House, and also, I believe, in accordance with the opinions of a majority of the Irish Members, because it was considered necessary to maintain peace and order in Ireland. Therefore, when the hon. and learned Member for Limerick comes to this House and objects to these Acts, I would ask him in turn why, last spring, out of more than 100 Members from Ireland, only 24 recorded their votes against the second reading of the Peace Preservation Bill? The hon. and learned Member for Limerick has admitted that the state of Ireland is at present exceptionally peaceful and quiet. There can be no doubt on that point. I believe that state of affairs to be mainly owing to the existence of the Acts in question. I believe they do not interfere with law-abiding and peaceful citizens. They are not regarded by such persons as injurious or oppressive, but they are a terror to, and do keep quiet those who would otherwise be a terror to their fellow-subjects. I can only tell the House what, perhaps, the House would hardly have supposed from the general denunciation of the hon. and learned Member, and I can prove the correctness of my statement. The hon. and learned Member has spoken of the grievance which is felt on account of the convictions which have been recorded against Irishmen for having arms in their possession.

MR. BUTT: I did not complain at all of any convictions. I complained of the law which makes it a penal offence to own a pistol, and of the unconstitutional power given to policemen to search houses for arms, and of the exercise of that power.

SIR MICHAEL HICKS-BEACH: In answer to the first point, I believe I may say, with certainty, that to every person who could have any fair or reasonable ground for the request, a licence to carry arms would be granted. With regard to the second point, I can inform the hon. and learned Gentleman that during the half-year ending the 31st of December, 1873, there have been only 24 arrests in the whole of Ireland for the unlawful possession of arms. There have been only four summary convictions by magistrates under these provisions,

*Sir Michael Hicks-Beach*



and only seven convictions at quarter sessions and assizes. Next I come to the question of search. It is said to be a great grievance that the police should be able to make searches for handwriting, and so on, in persons' houses. Well, 11 searches for handwriting have been made by the constabulary with a view to discover the authors of threatening letters. Next I come to the provision by which persons being out at night under suspicious circumstances are liable to arrest. Only 37 persons in the whole of Ireland have been arrested under that provision. Two of them have been committed to gaol for trial at petty sessions, and only six have been punished by imprisonment. Under the section which provides for the arrest of suspected strangers, only eight persons have been arrested, and only one has been committed to gaol. Having now alluded to all the special points in the Acts to which the hon. and learned Gentleman referred, I ask whether the facts I have mentioned do not prove that by the vast majority of the Irish people—by all law-abiding and peaceful citizens—these Acts are not felt, in practice, to be coercive, objectionable, or oppressive? The hon. and learned Gentleman did not refer to the Westmeath Act, but I may also inform the House that under that Act, whatever objections may be taken to it by hon. Members from Ireland, only two persons at the present time are lodged in gaol. I do not wish to dwell upon other grievances alleged by the hon. and learned Member for Limerick in support of this portion of his Amendment. He spoke of the franchise in boroughs as being too high, and of the municipalities having been unfairly treated by Liberal legislation, for which, of course, we are not responsible. But I entirely agree with what has been said by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone)—if evils exist, why do not some Irish Members bring in Bills to remedy or remove them? I can answer for the Government that any proposals of that nature will receive attentive consideration, and I also believe they will receive it from the House generally. When, however, it is alleged by the hon. and learned Member that the Grand Jury system is one of the things which prove that the Irish people do not enjoy the full benefit of the Constitution, I would ask him whether he has ever heard of

the system of quarter sessions in England? Whatever may be said against the Irish Grand Jury system—and I dare say it is quite open to amendment—Irish ratepayers have more representation than English ratepayers possess at quarter sessions in this country; yet, in spite of what has been said here in support of County Financial Boards, I never heard the system of quarter sessions in England alleged as a reason why the English people do not enjoy the full benefits of the Constitution. The hon. and learned Member spoke of cases in which the police were continually exceeding their powers, and referred to one particular case which was fortunately before me only two days ago. He stated the facts of the case with some little exaggeration, having no doubt taken his opinion from a source not likely to be very favourable to the Constabulary. He forgot, however, to add that the constable who committed the offence had been punished for it. This constable went somewhat improperly into a room and committed a very trivial assault, and for that offence—pushing a man by the shoulder—he was fined by the magistrates at petty sessions, while for improperly arresting a man on the road he has been censured by his officer. If the hon. and learned Member will bring forward names, dates, and specific facts with regard to any grievances of this kind, and will make me acquainted with any case of alleged misconduct by the Constabulary, I will endeavour to do justice fairly between them and the Irish people. Perhaps I may be pardoned if I say a word or two as to my present position. The hon. and learned Member spoke of me in no unfriendly terms as an individual sent from Gloucestershire to administer the affairs of Ireland; and yet it was only the other day that I saw the hon. and learned Member had been finding some fault at a meeting in Ireland with my right hon. Friend the Prime Minister because more Irishmen were not included in the Government. I only ask hon. Members from Ireland to extend to me the same consideration which they claim for themselves. If Irishmen are qualified to fill places in the Government of England and of the Empire, surely to be an Englishman is no special disqualification for one called upon to administer the affairs of Ireland. I do not deny—and the more I see of Ireland

the more I dare say I shall be able to admit the fact—that there is much which requires to be remedied in the laws relating to that country. In my opinion the last Parliament spent rather too much time in what has been called sensational legislation and did not attend sufficiently to matters of social and administrative importance, for from what I can see I believe there are many points of this kind with which Parliament ought to deal, but which have for some years past been pushed aside. For example, I can conceive that many questions which are at present considered at great cost in this House, and relate purely to local wants—such as railways, canals, and gas works—might, with advantage, be inquired into by local tribunals and possibly be decided in Ireland. But this is a question which does not relate to Ireland alone; it is a question of great importance affecting other parts of the United Kingdom; and it is one which has already been discussed in Parliament, for hon. Gentlemen who were in the last Parliament may remember that the right hon. Gentleman the Member for Chester (Mr. Dodson) brought forward a plan with this view in the last House of Commons. England, being the wealthier country, has more local matters requiring legislation, and therefore, although nearer head-quarters, has at least as great a claim to consideration in this matter as Ireland; and Scotch Members will not forget that Edinburgh is as far from London as Dublin. I wish to make no pledge nor even to express an opinion at this early stage in my official experience as to what may be done for Ireland or other parts of the Kingdom in this matter. But I think all three parts of the Kingdom should be considered at once. I hope Parliament will before long take the question into its most careful consideration, and for myself I believe that much real good may be done by some legislation in this direction. Meanwhile I ask hon. Members from Ireland, as far as I am personally concerned, not to judge me untried. I can assure them that, though an Englishman, I will endeavour, in those duties which fall to my lot in connection with Irish affairs, to throw off any prejudices I may have felt, and act with a single eye to the welfare of Ireland. I will endeavour to administer the laws of that country fairly and without favour. I will endeavour

to act impartially between different creeds and different sects, whether in religion or in politics. But at the same time I will endeavour to administer the law without fear and with firmness, because I hold that laws which cannot be enforced had better be repealed. If I can act as I promise I will try to act, I have no fear but that the generosity which is an inherent feature in the Irish character will at any rate look leniently upon any mistakes I may commit from my previous inexperience, and will give me credit for an endeavour honestly and fairly to do my duty.

MR. SULLIVAN: Sir, it is manifest from the speech which we have just heard from the right hon. Gentleman the Chief Secretary for Ireland that the Motion of my hon. and learned Friend the Member for Limerick (Mr. Butt) has, at all events, wrought a remarkable conversion with at least one Member of the Administration. The right hon. Gentleman has declared there is a great deal needed in the way of legislation for Ireland which he alleges this House is willing and able to do. Well, it is something for us to know that the right hon. Gentleman does not agree with his Chief in considering our country to have been “debauched by legislation,” and that he is ready to grapple with the questions awaiting solution. He tells us that any laws which cannot be enforced had better be repealed. I agree with the right hon. Gentleman. I take him at his word. There are many such laws relating to Ireland, hateful relics of a bygone time when oppression and persecution were free to wreak their will upon our land. I call upon the right hon. Gentleman to keep his word with us on this point; and I beg him to begin by repealing a law cruel, unjust, and wicked, which has never been enforced, which never could be enforced, in Ireland. I allude to the law against the Regular Orders of the Catholic Church. It may be a surprise to some hon. Gentlemen to learn that at the present moment, in this age so lauded for tolerance and religious equality, the Religious Orders of the Catholic Church are still under a penal proscription, and may, every man of them, be dragged to prison or deported as a criminal. The right hon. Gentleman will hardly say that this is a law he means to enforce; it was and is too outrageous to be enforced;

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it cannot be enforced in Ireland. I rejoice to find Her Majesty's Ministers so completely committed to its repeal. The right hon. Gentleman has very eagerly grasped at the speech of the hon. Member for Belfast (Mr. W. Johnston) as a set-off against the demands of the Irish Members. Nay, he complains of us that we speak as if in the name of all Ireland, forgetful, he says, that Ulster is determined to have a civil war rather than let the rights of this House or the Crown of the Sovereign be assailed. Sir, it is true we speak in the name of all Ireland, and represent, not a party or a faction, but a nation—in this sense, Sir, and in no other, that we are a majority of the national representation; a majority proportionably larger than that which the present Administration commands in this House. No doubt the hon. Member for Belfast and Friends are able to muster about 30 out of the 103 Irish Members, while we number about twice as many. We make him a present of the fact, and repeat that we have the right to speak for our country as a whole. But the right hon. Gentleman opposite appeared to take to his heart, with great consolation, the promise made by the hon. Member for Belfast, that Ulster would go to war against Ireland in defence of Parliament and the Sovereign. Sir, it will be well for this House never to need to put that promise to the test. It is a promise that will not avail you much. When last the House of Commons needed arms to defend it—when armed men broke into the Commons' chamber, and when the mace was ordered to be "taken away"—the Parliament found no defenders in Ulster, unless mayhap amongst men like myself; while the destroyer of the Parliament found help and co-operation from the men of Ulster to whose principles the hon. Gentleman has succeeded. So, Sir, if this House is to be again broken into, and invaded, and dispersed, and overthrown—if yonder mace is to be again removed as a "bauble"—it will be a poor reliance to look about for the hon. Member for Belfast and call up the promise of Ulster. And the Queen too! The Sovereign also has been ostentatiously taken under the protection of the hon. Gentleman and his "men of Ulster." Why, there never yet was a Sovereign of these Realms engaged in armed conflict for his throne that he did not find

the "men of Ulster" in the camp of his foes. Whenever Englishmen chose to rebel against and drive away their Sovereign, how did those men of Ulster act? Did they back the King? Nothing of the kind, Sir, as history attests. The men who, unfortunately for themselves and their descendants, backed their loyalty with their swords, were the men whose Irish principles pervade the constituencies represented by my Friends around me on these benches. It will be a poor day for the Sovereign if her reliance is to be on the promise of Ulster made here to-night. But, indeed, have we not had quite recently a good illustration of Ulster loyalty—aye, and of the dependence to be placed on these threats of civil war by the "men of Ulster?" Have we forgotten the threats of some of the hon. Gentleman's friends to "kick the Crown into the Boyne" if a certain measure then before the House should receive the Royal Assent? Well, what came of those threats? The Bill—the Irish Church Bill—was passed; it received the Royal Assent; yet the Crown sits securely on the head of the Sovereign, who may, I trust, long live to wear it without danger from such foes. So much for these wonderful threats, so constantly paraded, of what "the men of Ulster" will do. We can discuss this Amendment without minding such menaces. What is the issue which we raise? Sir, last night, on the first evening I took my place in this Assembly, I heard a good deal from the right hon. Member for Greenwich, the late Prime Minister (Mr. Gladstone), about "the Constitution;" about what was "constitutional" and what was not. It may be, and I doubt not it is so, that to the minds of Englishmen these references to "the Constitution" call up proud reflections and represent a grand and glorious reality; a Constitution that secures them the blessings of freedom, the rights of a nation. Were I an Englishman, I too, could feel these emotions; for well may Englishmen be proud of what they possess. I have travelled something in republican countries, and I have seen nothing to shake my conviction that Englishmen enjoy, on the whole, more of solid, secure, and substantial liberty without licence than, perhaps, any other nation in the civilized world. But how different is the case with my country. As I listened

to all that was said about the Constitution, I could not help feeling, as an Irishman, that my journey to England would be well undertaken if I could, even if only for curiosity, see this Constitution of which we Irishmen hear so much, but which in our country we can never feel or see. What is it? Where is it? Where may one peruse it? Does it include the Bill of Rights? We have no such rights in Ireland, unless it may be on the sufferance or with the permission of the chief Government official. Does this Constitution include trial by jury? A priceless possession, indeed. But in Ireland I can have no trial by jury, if the chief official of the Government chooses to say that I have written sedition. Does the Constitution include protection for property? In Ireland I have no protection for mine. The Lord Lieutenant is entitled to seize and confiscate my property without any trial or judicial procedure whatsoever. Does the Constitution of which we hear so much include liberty of the Press? Aye, indeed—what would an Englishman think of a Constitution without it? Yet in our country the Press may be suppressed on barely one *avertissement*.. ["Oh, oh!"] Sir, I state the fact; I refer to the statute book and challenge contradiction. Well, does this Constitution include the right to carry arms? In Ireland it is a matter of imprisonment to have even a percussion cap in your possession, unless by favour of the police. Does the Constitution afford protection against domiciliary visits? Irishmen have no such protection, as may be seen by a glance at the surplus left by the late Government. I do not mean the Revenue surplus or the Church Fund surplus. I mean the surplus of Coercion Bills, which the present Government will find ready to their hands, bequeathed by the late Ministry. Does the Constitution afford protection against arbitrary arrest? The speech of my hon. and learned Friend Mr. Butt—"Order, order!"—I beg the indulgence of the House—the Member for Limerick City, and the cases he cited, settle that we have no such constitutional protection in Ireland. Does the Constitution insure the punishment of Government officials convicted of illegality and crime before the tribunals of the land? In our unfortunate country Government officials may violate the law without fear of punishment, for the Government will

pay the fine for them out of the public funds. [*Cries of "No, no!" and "Hear, hear!"*] Again, Sir, I appeal to public record. In Derry City and in Dublin, juries have again and again convicted Government officials of assaults—some of them most brutal and aggravated. Yet in no instance that we are aware of has any punishment touched the offenders so convicted; for the Government has stepped in and decreed them indemnity for wrong-doing by paying both the fine and costs; or else, as in the case of the Phoenix Park assaults, by using the public funds to so litigate the suits as to beggar and weary out the hapless who sued for redress. Take away all these rights and protections, and how much of the Constitution, or what kind of a Constitution, remains? Yet this is how we stand in Ireland. Shall I be told that in practice no hardship is felt—that I have been referring to obsolete laws never enforced? Nothing of the kind. The hardship, cruelty, and injustice of these coercion laws are felt every day in Ireland. The right hon. Gentleman the Chief Secretary for Ireland asked for names, and cases, and dates. Well, I will give a few—barely one or two out of a weary list during the past 10 years. In February, 1864, an old woman at Clonmel—[*Laughter*—yes, well my hon. Gentlemen laugh when the machinery of the Coercion Bills is turned against such formidable foes of "the stability of the Empire" as old women—this miserable old woman, who was a dealer in rags and in scraps of metal—a marine store dealer, in fact—was arrested and brought to trial for having in her possession some broken and battered bits of an old horse-pistol. The Crown Prosecutor gravely pointed out that she was liable to two years' imprisonment for thus having "arms in a proclaimed district." The magistrates, however, took a more lenient view of the case, and contented themselves with binding the old woman in her own recognizances to appear for sentence when called on. But, Sir, it may be a satisfaction to hon. Members to know that the wise precaution was taken of forfeiting to the Crown the arms—that is to say, the bits of the old horse-pistol seized from the old conspirator. Take another case in the same county. In April of the same year, a little boy of 16 years, who had bought at a toy shop one of those large knives

or dagger-blades which sailors carry, and which are the envy of school-boys, was arrested and tried for having this "arms in a proclaimed district." He was sent to jail for six months. Again, in the same year, in October, at the Thurles Quarter Sessions, we find a man getting imprisonment for the awful crime of having in his possession seven percussion caps. A more remarkable case still is reported at the Moate Quarter Sessions of April, 1865. The Catholic Young Men's Society, a non-political organization under the auspices of the Catholic clergy, were having their annual display of amateur theatricals. The piece selected on this occasion was *Douglas, or the Haunted Inn*. They got down from Dublin, from a theatrical property man, the necessary attire for Douglas, and the requisite furniture for the Haunted Inn. So little did the proceeding appear to the magistrates to bode danger to the Crown and Constitution that they freely gave the use of the Court-house for the performance. But on the night of the display, while poor Douglas, theatrical sword in hand, was in the act of delivering a most beautiful oration, the Constabulary sprang upon the stage, arrested him for having "arms in a proclaimed district," and carried him off a prisoner in his theatrical costume, through the streets. Well, Sir, I will not weary the House with such cases. I will cite just one more. It occurred only the other day, and in the town of Belfast. An Italian organ-grinder and his monkey were arrested under the Act—[laughter]—the monkey, it seems, was the offender. Now, Sir, many of us saw that poor monkey performing. He used to fire off a sort of gun, and I believe shoot peas through it. The Belfast police arrested him for "having arms in a proclaimed district." The right hon. Gentleman asked us to give him names. Well, I do not know the name of the monkey; but I do of the master, and it is quite at the right hon. Gentleman's service. These things are ludicrous indeed, but have they not their sad and serious aspect too? Such is the sort of "Constitution" which Ireland is under. Such a code has defenders. Why, I have listened to a defence of this dreadful coercion code here to-night; a sort of defence as old as tyranny itself in the world; a defence a recent King of Naples

might have made for the laws that evoked such sympathetic throbs from the right hon. Gentleman the Member for Greenwich. That defence is, that if the people do not resist, if they will be quiescent, they will not feel the chain. Why, Sir, "any man can govern with a state of siege." One excuse is, that the country is full of crime, and needs these laws; another is that the country is peaceable, because of these laws; so that whether Ireland is peaceable or turbulent, tranquil or disturbed, there is always an excuse with the coercionists. I may be referred to the laxity of this code, unless in times of excitement. Why, it is exactly in times of excitement that constitutional rights of protection are really needed. At other times neither public nor personal liberty is in danger. It is precisely when those in authority feel alarm that a constitutional protection is needed for a citizen's liberty. And thus, in Ireland, our constitutional rights disappear whenever we need them; thus for us the sword of the Constitution is a mockery, a delusion, and a snare; so contrived as to be apparently sound as long as it is left in the scabbard, but to break in pieces the moment it is drawn in legal self-defence. Sir, I have no doubt these things are new to the ears of many hon. Members. I am not going to purchase any man's favour by flattery. I will not offer panegyrics on the English character. It has many grand and noble traits; but, if so, it has also many serious failings. But this, I say, that I do believe there is manliness and generosity enough in the breasts of English-born men to cause them to feel some sympathy with my unfortunate country, if they were more familiar with such facts as I have stated. If such men there be, they will find us no foes. For my own part, as one Irish Member, I stand here to declare that my countrymen will always be found ready to reciprocate every offer of the hand of reconciliation, and that there is no people on earth more generous to forgive and forget an unhappy past, if treated as a free people. We have heard of Home Rule. Sir, I will not condescend to defend my co-religionists from a charge proudly confuted by history. I will not descend to defend the Catholics of Ireland from the implied charge that if they secured Home Rule the Protestant minority would be subjected to a Catholic

ascendency. I say, I, as a Catholic, will not lower my self-respect by volunteering extravagant protestations on such a subject. Let our accusers not weigh us according to the standards of a broken down Protestant ascendency. It is the old, old story—

"Forgiveness to the injured doth belong;  
They never do forgive who do the wrong."

Need I point to the action of my Catholic fellow-countrymen where Catholic emancipation put an ascendency into their hands if they would descend to use it? Look at the Catholic constituencies of Ireland, municipal and Parliamentary. How do they exercise their power? Do they oppress or ostracise Protestants? Look at my own native county, Cork, the population of which is Catholic almost to a man. It returns, and has, I believe, always since 1829 returned, at least, one Protestant as the popular Member. Look at Limerick City, look at Meath, look at Tipperary. Ah, Sir, it is the simple truth that the Catholics of Ireland had no sooner won their emancipation than they hastened to share the gifts of their newly-won liberties with their Protestant fellow-countrymen. Sir, I thank the House for the kindness it has extended to me in speaking for the first time here to-night. I do look forward to a future, a near future, brighter and happier for my own country and for England too. Yes; we are tired of hate; it is true I shall be glad if we can have a spell of love. But if we, Irishmen, have hated, it was because of reasons that would have made Englishmen, were they in our place, hate too. If we have been angered, it has been because ye under the same goad would have been similarly roused. Here we are now in this House willing to fight out our cause with constitutional agencies. We will not bow, and we will not sue; we will meet friendliness with friendliness; and even if taunted or assailed, we can exhibit the equanimity of men who feel that power is with them. ["No, no!"] I have no objection that a few of the Irish minority should say "no, no," and convince the House, if they can, that 30 is a greater number than 60. Yes, we are the party of strength in Ireland, and have a strong faith that we are going at last to make an end of this ancient quarrel. I do look forward to the not distant day when a Minister will come down to this House

to announce that the time has come for conceding what he will then call "lateral" Home Rule; or it may be a Minister who, with more generous emotions, will proclaim that he comes to erase a rooted sorrow from the troubled brain of Ireland. Let what may be said now, that day will come, and with it the dawn of a new era of peace, and good-will, and liberty, and prosperity for Ireland and for the Empire.

SIR GEORGE BOWYER said, he must attribute the fact that the advocates of Home Rule were denounced as enemies of the Crown, and desirous of destroying the integrity of the Empire, to the general want of information on the subject, and to the circumstance that the question was a new one. The people of this country were always frightened at new things until they got accustomed to them or were educated to their reception. He thought that a question which involved an alteration in the Constitution of England ought only to have been brought forward after due Notice, and certainly not upon the occasion of the Report on the Address to the Crown. But as the matter was before the House he would make some observations on it. With regard to the subject itself, he remembered when Lord Durham, who was the Governor of Canada, reported in favour of responsible government for the Colonies, that his opinion was denounced at the time as a most revolutionary proposal, but it had ultimately been carried into effect. Now every large and self-governing colony in the Empire had a Ministry responsible to the Parliament of the colony. There were, no doubt, difficulties to be overcome in the application of Home Rule to Ireland, but as similar difficulties had been overcome in the case of the Colonies, there was no reason to suppose they were insuperable. It was said that to grant Home Rule to Ireland would be to cause the disruption of the Empire. Yet self-government had been granted to Canada, Australia, &c., without disruption, although these colonies were thousands of miles distant, and the vicinity of Ireland was so far from being a reason against granting self-government, that it was most improbable Ireland would ever wish to be separated from this country. There existed between the two countries a community of interests, of language, and of legal in-

stitutions, and there was every reason why Ireland should continue to be united to England. The difficulties in carrying out self-government could not be described as insurmountable when they had been worked out in all the Colonies of the Crown. Every State in the United States of America was called a Sovereign State, yet Federal and State rights were clearly defined, and every possible question that could arise between the Federal and States Governments had been sifted and decided in the Supreme Court of America. That Court had a power which was not possessed by any other Court in the world, for it could declare the acts of Congress null and void, if they trenched on the rights of individual States. If Ireland had local government and could legislate for matters exclusively Irish, it might be desirable to constitute a Court like the Supreme Court of the United States, to decide upon the matters within the attribution of the local Legislature and the Imperial Parliament respectively. The right hon. Gentleman (Mr. Gladstone) thought he had hit upon a blot when he asked whether Irish Members were to deal at home with all Irish matters, and to come to the Imperial Parliament to deal also with all English and Scotch affairs. There were two ways of solving this difficulty. One was that the Members for Ireland should be limited in their powers and vote solely on certain Imperial questions; and the other was to leave Irishmen to manage their own Parliament without any representation in the English Parliament. In conclusion, he must say that if the question were fairly dealt with on all its merits he believed a satisfactory solution might be found, and the demands of Ireland were certainly deserving of the fullest consideration.

MR. BUTT said, he did not wish to put the House to the trouble of dividing. He would ask permission to withdraw the Motion, or allow it to be negatived without a division.

MR. REDMOND said, that the opinion of the people of Ireland had been constitutionally called for, and they had in reply returned a great majority of Members pledged to demand an entire change in the management of affairs. If hon. Members wished to know the strength of Irish feeling on this subject, they must look not only to the number

of Home Rule Representatives, but to the prodigious majorities by which they had been returned. They could only deal with Ireland in one of two ways—either they must give serious and earnest consideration to the causes of the dissatisfaction which existed, or they must go on governing the country by force, terror, and coercion. He hoped the people of England, notwithstanding the unscrupulous misrepresentations of the Press, would not, when the case was fairly placed before them, be disinclined to meet the wishes of their Irish fellow-subjects in a conciliatory spirit. The demands of Ireland were not so unreasonable or so exorbitant as to be too great a price to pay for internal peace and prosperity, neither could he see how the Empire was to be dismembered, because the people of Ireland wished their own local affairs to be conducted according to their own wishes. For those reasons, he cordially supported the Amendment.

THE O'DONOGHUE said, he would only make one observation. He was sorry the hon. and learned Member for Limerick did not state at an earlier hour of the evening that he had no intention to divide. It appeared to him that the Amendment so stealthily prepared and introduced to the House, was no more than a pretence. He had been told that the debate would go on till late, as many English Members were so enamoured of the views of the hon. and learned Member that they were determined to address the House. But that now appeared to be a mere pretence, not one English Member having yet addressed the House, and he believed it would turn out that no English Member was in favour of the views of the hon. and learned Member, and that statements of that kind were only thrown out to delude the Irish people.

MR. BUTT wished to say one word in explanation. He did intend to divide.

SIR JOSEPH M'KENNA said, with reference to the observations of the hon. Member for Tralee (The O'Donoghue), he begged to state that in his opinion that hon. Member himself had been the main cause of the delusion and pretence on this subject. He well remembered on one occasion, when there was a meeting of what were called the Nationalists at the Rotunda in Dublin, the hon. Member was the foremost in fomenting



discord and bad feeling towards Great Britain—a feeling which had existed more or less ever since.

Question put.

The House divided:—Ayes 50; Noes 314: Majority 264.

Address agreed to:—To be presented by Privy Councillors.

#### AYES.

Biggar, J. G.	Morris, G.
Blennerhassett, R. P.	Murphy, N. D.
Bowyer, Sir G.	Nolan, Captain
Brady, J.	O'Brien, Sir P.
Brooks, rt. hon. M.	O'Byrne, W. R.
Browne, G. E.	O'Cleary, K.
Bryan, G. L.	O'Connor, D. M.
Collins, E.	O'Gorman, P.
Conyngham, Lord	O'Keefe, J.
Dease, E.	O'Leary, W.
Dunbar, J.	O'Shaughnessy, R.
Ennis, N.	O'Sullivan, W. H.
Errington, G.	Power, R.
Esmonde, Sir J.	Redmond, W. A.
Eyton, P. E.	Ronayne, J. P.
Fay, C. J.	Shaw, W.
French, hon. C.	Sherlock, Serjeant
Gourley, E. T.	Simon, Serjeant
Gray, Sir J.	Smyth, P. J.
Henry, M.	Stacpoole, W.
Lewis, H. O.	Sullivan, A. M.
McCarthy, J. G.	Thompson, T. C.
McKenna, Sir J. N.	Tighe, T.
Martin, J.	
Meldon, C. H.	
Montagu, rt. hn. Lord R.	
Moore, A.	

#### TELLERS.

Butt, I.  
Synan, E. J.

#### NOES.

Adam, W. P.	Beach, W. W. B.
Agnew, R. V.	Bective, Earl of
Alexander, Colonel	Bell, I. L.
Allen, Major	Bentinck, G. C.
Allsopp, H.	Benyon, R.
Allsopp, S. C.	Beresford, Lord C.
Anderson, G.	Beresford, Colonel M.
Anstruther, Sir R.	Birley, H.
Anstruther, Sir W.	Boord, T. W.
Archdale, W. H.	Bourke, hon. R.
Arkwright, A. P.	Bourne, Colonel
Arkwright, F.	Bousfield, Major
Arkwright, R.	Briggs, W. E.
Ashbury, J. L.	Bright, R.
Asheton, R.	Brise, Colonel R.
Astley, Sir J. D.	Bristowe, S. B.
Baggallay, Sir R.	Bruce, hon. T.
Balfour, Sir G.	Bruen, H.
Ball, rt. hon. J. T.	Brymer, W. E.
Baring, T. C.	Bulwer, J. R.
Barrington, Viscount	Burrell, Sir P.
Bass, A.	Callender, W. R.
Bass, M. T.	Cameron, C.
Bassett, F.	Cameron, D.
Bates, E.	Campbell, C.
Bathurst, A. A.	Carington, hn. Col. W.
Baxter, rt. hon. W. E.	Cave, rt. hon. S.
Beach, rt. hn. Sir M. H.	Cave, T.

Cavendish, Lord F. C.	Gordon, rt. hon. E. S.
Cawley, C. E.	Gore, J. R. O.
Cecil, Lord E. H. B. G.	Gore, W. R. O.
Chaine, J.	Goechen, rt. hon. G. J.
Chambers, Sir T.	Green, E.
Chaplin, Colonel E.	Greenall, G.
Chaplin, H.	Gregory, G. B.
Chapman, J.	Grey, Earl de
Christie, W. L.	Grieve, J. J.
Churchill, Lord R.	Gurney, rt. hon. R.
Clarke, J. C.	Hall, A. W.
Clive, Col. hon. G. W.	Halsey, T. F.
Cobbett, J. M.	Hamilton, Lord C. J.
Cobbold, J. P.	Hamilton, I. T.
Colebrooke, Sir T. E.	Hamilton, Lord G.
Colman, J. J.	Hamilton, Marquess of
Conolly, T.	Hamilton, R. B.
Coope, O. E.	Hardcastle, E.
Corbett, Colonel	Hardy, rt. hon. G.
Cordes, T.	Harrison, C.
Corry, J. P.	Hartington, Marq. of
Cotes, C. C.	Havelock, Sir H.
Cowan, J.	Hay, Sir J. C. D.
Crawford, J. S.	Heath, R.
Crichton, Viscount	Henley, rt. hon. J. W.
Cross, rt. hon. R. A.	Hermon, E.
Crossley, J.	Hick, J.
Dalrymple, C.	Hodgson, K. D.
Damer, Capt. Dawson-	Hogg, J. M.
Davenport, E. G.	Holms, J.
Davies, R.	Holms, W.
Deakin, Colonel J. H.	Holt, J. M.
Denison, C. B.	Hood, Captain hon. A.
Denison, W. E.	W. A. N.
Dick, F.	Hope, A. J. B. B.
Dickson, T.	Horsman, rt. hon. E.
Dilke, Sir C. W.	Howard, hon. C. W. G.
Disraeli, rt. hon. B.	Huddleston, J. W.
Dixon, G.	Hunt, rt. hon. G. W.
Dodson, rt. hon. J. G.	Ingram, W. J.
Douglas, Sir G.	Isaac, S.
Dowdeswell, W. E.	Jackson, H. M.
Duff, R. W.	Jenkins, D. J.
Dundas, J. C.	Johnson, J. G.
Dyott, Colonel R.	Johnston, W.
Earp, T.	Johnstone, H.
Edmonstone, Admiral	Johnstone, Sir F.
Egerton, hon. A. F.	Jones, J.
Egerton, Sir P. G.	Karslake, Sir J.
Elliot, Admiral	Kay - Shuttleworth,
Elliot, G.	U. J.
Elphinstone, Sir J. D. H.	Kensington, Lord
Emlyn, Viscount	Knatchbull - Hugessen,
Estcourt, G. B.	rt. hon. E.
Ewing, A. O.	Knowles, T.
Feilden, H. M.	Lacon, Sir E. H. K.
Fellowes, E.	Laing, S.
Ferguson, R.	Laird, J.
Fitzmaurice, Lord E.	Laverton, A.
Fletcher, I.	Law, rt. hon. H.
Floyer, J.	Lawson, Sir W.
Folkestone, Viscount	Learmonth, A.
Forester, rt. hon. Gen.	Lee, Major V. H.
Forster, Sir C.	Loeman, G.
Forster, rt. hon. W. E.	Lefevre, G. J. S.
Forsyth, W.	Legard, Sir C.
Freshfield, C. K.	Legh, W. J.
Galloway, Sir W. P.	Leigh, Lt.-Col. E.
Gardner, J. T. Agg-	Leith, J. F.
Gardner, R.	Lewis, C. E.
Garnier, J. C.	Liddell, hon. H. G.
Goldney, G.	Lindsay, Lord
Goldsmid, J.	Lloyd, T. E.

*Sir Joseph M'Kenna*

Locke, J.	Roebuck, J. A.
Lopes, H. C.	Round, J.
Lowther, J.	Russell, Lord A.
Lubbock, Sir J.	Russell, Sir C.
Maoduff, Viscount	Ryder, G. R.
Macgregor, D.	Salt, T.
Mackintosh, C. F.	Sandon, Viscount
M'Arthur, A.	Slater-Booth, rt. hn. G.
M'Lagan, P.	Scott, Lord H.
M'Laren, D.	Scott, M. D.
Maitland, J.	Scourfield, J. H.
Majendie, L. A.	Seely, C.
Makins, Colonel	Selwin - Ibbetson, Sir
Marten, A. G.	H. J.
Maxwell, Sir W. S.	Shute, General
Mellor, T. W.	Sidebottom, T. H.
Millea, hon. G. W.	Simonds, W. B.
Mills, A.	Smith, A.
Mills, Sir C. H.	Smith, S. G.
Monk, C. J.	Smith, W. H.
Montgomery, R.	Smyth, R.
Morley, S.	Somerses, Lord H. R. C.
Mowbray, rt. hn. J. R.	Spinks, Serjeant
Mulholland, J.	Stanford, V. F. Benett-
Muntz, P. H.	Stanhope, hon. E.
Mure, Colonel	Stanley, hon. F.
Naghten, A. R.	Starkey, L. R.
Nevill, C. W.	Stevenson, J. C.
Neville-Grenville, R.	Stewart, M. J.
Newport, Viscount	Sturt, H. G.
Noel, E.	Swanston, A.
Northcote, rt. hon. Sir	Talbot, J. G.
S. H.	Taylor, D.
O'Donoghue, The	Tennant, R.
Onslow, D.	Thynne, Lord H. F.
Paget, R. H.	Torr, J.
Parry, T.	Trevelyan, G. O.
Patteshall, E.	Vance, J.
Pell, A.	Wait, W. K.
Pelly, Sir H. C.	Walker, T. E.
Pemberton, E. L.	Walpole, hon. F.
Peploe, Major	Walsh, hon. A.
Perceval, C. G.	Walter, J.
Percy, Earl	Waterlow, Sir S. H.
Perkins, Sir F.	Watney, J.
Phipps, P.	Wethered, T. O.
Playfair, rt. hn. Dr. L.	Whitelaw, A.
Plimsoll, S.	Whitwell, J.
Plunket, hon. D. R.	Whitworth, W.
Plunkett, hon. R.	Wilmot, Sir H.
Powell, W.	Wilmot, Sir J. E.
Price, Captain	Wolff, Sir H. D.
Puleston, J. H.	Yarmouth, Earl of
Raikes, H. C.	Yeaman, J.
Reed, Sir C.	Yorke, hon. E.
Reid, R.	Yorke, J. R.
Rendleham, Lord	
Repton, G. W.	TELLERS.
Richard, H.	Dyke, W. H.
Ripley, H. W.	Winn, R.
Ritchie, C. T.	

## SUPPLY.

*Resolved*, That this House will, Tomorrow, resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

## WAYS AND MEANS.

*Resolved*, That this House will, Tomorrow, resolve itself into a Committee

to consider of the Ways and Means for raising the Supply to be granted to Her Majesty.

## EAST INDIA LOAN.

## COMMITTEE.

*Considered in Committee.*

(In the Committee.)

LORD GEORGE HAMILTON, in rising to move a Resolution, That it is expedient to enable the Secretary of State in Council of India to raise a sum, not exceeding £10,000,000, in the United Kingdom, for the service of the Government of India, on the credit of the revenues of India, said, that the portion of Her Majesty's most gracious Speech which referred to the Bengal Famine, expressed a wish that no money should be spared so that life might be saved, and in the spirit of that wish he was now about to ask leave for the introduction of a Bill which would place funds with that object in the possession of the Indian Government. Considering the exceptional gravity of the crisis existing in India, and the great interest felt in it not only by hon. Members, but throughout the country, he trusted the Committee would excuse him if he detained them at some little length. His hon. Friend the Member for Finsbury (Mr. W. M. Torrens) yesterday moved an Amendment to the Address, on the ground that Her Majesty's Government were not sufficiently aware of the gravity of the present crisis, and were not, in consequence, prepared to take sufficiently energetic action. If his hon. Friend, or any other hon. Gentleman, still entertained that idea, he trusted he should be able to dispel the illusion when he said that in the Bill which he proposed to introduce he was about to ask for power to raise £10,000,000. He thought that sum would be a sufficient indication that the Government were fully alive to the gravity of the present crisis. In making a statement which would necessarily involve a certain amount of detail, he trusted the House would not forget the difficulties under which he laboured—first in having to succeed the hon. Member for Elgin (Mr. Grant Duff), who for five years not only represented the India Office in that House with great ability, but who, in addition, brought to bear on every Indian subject a fund of accumulated knowledge to which he

himself could not pretend. In the second place, he would remind the House that he became associated with the India Office exactly when the famine, before impending over Bengal, had descended on the most densely-inhabited portions of that province. Thirdly, he was now under the difficulty of explaining measures which were sanctioned, elaborated, and carried out, not by the Government to which he belonged, but by their predecessors. He did not say that with the intention in any way of censuring any of the acts of the late Government, but merely to point out that it would have been far easier for the hon. Member for Elgin to explain them than for his successor. And, further, he would remind the House that there was some little difficulty in placing the figures before them, because the India Office had week by week received despatches from India, and, after having perused those despatches and managed to retain a certain number of figures, it was found next week that those figures were entirely changed. If, therefore, the figures which he should give differed from those which hon. Gentlemen, by their own industry or from the public prints, had been able to gather, they must not consider their own as accurate and his as the reverse, but they should bear in mind that he, as the Representative of the India Office in that House, had been able to obtain better and more recent information. On the 27th of October Lord Northbrook telegraphed to the Duke of Argyll—“Very bad failure of crops in Bengal. I leave at once to consult with Sir George Campbell.” It seemed scarcely credible to Europeans that the failure of one crop over an area as large as that of England, Scotland, and Wales combined, and far more densely populated, should spread famine over the length and breadth of that district. But Lord Northbrook was fully aware of the crisis; he at once proceeded to Calcutta, and there issued a weighty Resolution. That Resolution was shortly afterwards considered at a general conference, and he would by-and-by state its purport to the House. The Resolution to which he referred was issued in consequence of information which the Indian Government had received, which led them to believe that in four districts of Bengal, comprising a population of 35,000,000, there would be, for the next eight

months, great scarcity, and very probably famine. He must remind the House that in 1848 we had a famine in Ireland, which Lord Russell had graphically described as “a famine of the 14th century among a population of the 19th.” On that occasion, though the English Government had a large Navy to assist it, and had the advantage of enormous subscriptions placed at its disposal, and an amount of individual charity and agency such as probably never before was at the command of a Government, and though the means of interior communication in Ireland were excellent, they were, nevertheless, unable to prevent the Irish people from dying by thousands. He did not state that as wishing in any way to diminish the responsibility attaching to the Indian Government or the India Office; he merely reminded the House of the difficulty which the English Government had to contend with in dealing with a famine on a much smaller scale. The population of the district now affected by famine was probably the densest in the world, being upwards of 496 persons to a square mile, or very nearly double the density of the population of the United Kingdom of Great Britain and Ireland. In addition to that, there was a peculiar people to be dealt with who, whether from their habits or the nourishment upon which they existed, had neither physical nor mental stamina which would enable them to bear up against great privation or scarcity. The Government of India had besides to contend against the prejudices of caste. These were difficulties which were known to the public, but there was another difficulty to which sufficient importance had not been attached. Any Government, having to deal with a difficulty of this enormous magnitude must depend very much upon the information furnished by its local officers. He would say, in no spirit of censure, of the present or past Governors of Bengal, that there was no province of India so badly provided with the means of local administration, for they were not in Bengal under the same necessity which existed in other parts of India of having an accurate local survey. That arose from the fact that in that province certain Zemindars became responsible to the Government for the revenue, and the Government, therefore, had no reliable Returns as to the cultivation of the soil.

*Lord George Hamilton*

All persons acquainted with India would concur with him when he said that statistical deficiency had attained an extreme point in Bengal when, some four years ago, a population was estimated at 42,000,000, which by a Census two years afterwards was found to amount to 66,000,000. Sir George Campbell, in a recent Report, dwelt on the difficulty that existed in the way of gathering reliable information as to the condition of the distressed districts. He had, however, taken steps to overcome those difficulties of which his successor would reap the benefit. He now came to the Resolution which was passed by the Governor General of India in Council, in which they determined not to prohibit exports. They also resolved that measures should be taken for the vigorous prosecution of public works. The Lieutenant Governor of Bengal was authorized to open local relief works, and loans were to be advanced to municipalities as well as to landlords for the purpose of effecting improvements. It was further resolved that levies made on account of roads should be postponed; that one-half the cost of the carriage of grain to the distressed districts should be defrayed by the Government; that relief committees should be formed in all the districts; and their medical staffs considerably augmented. It had been hinted that the relations of the different Governments in carrying out this work were not as cordial as could be desired; but that was an error. The Government of India undertook to procure the necessary grain for the relief of the districts—the Government of Bengal, by a subsequent Resolution, were to provide the transport necessary for its distribution. That Government was also authorized to procure food for all who were employed upon strictly local works. As time went on more accurate information was obtained as to the districts in which real distress might be experienced, and as to its probable extent. The four divisions of Bengal to which he had alluded were divided into two by the Ganges. In the districts south of that river, little anxiety had been felt during the last two months, as it was traversed by the East Indian Railway and the local communication was far better than in the north. It was in the district north of the Ganges that the greatest difficulties

were experienced. The district was bounded on the south by the Ganges and on the north by Nepaul, and it was felt from the very first that in this great district the utmost obstacles would have to be overcome in the transport of grain and rice for the relief of its inhabitants. At a meeting held by the Government in Calcutta on the 4th of February last, and which was attended by the Governor-General, it was determined to establish district committees; and various other measures of relief were resolved upon. Sir Richard Temple had already been despatched by the Governor-General to travel through the districts in which the greatest distress existed, with a view to place the transport in a more satisfactory condition, and of making a most accurate calculation as to the actual amount of food that would be required. The despatches of Sir Richard Temple had only reached the India Office during the last week, and they afforded some most interesting information as to the districts north of the Ganges in which the greatest distress had hitherto been experienced. He calculated that in the district of Tirhoot not less than 1,000,000 persons would be on the hands of the Government, and possibly for a period of from six to eight months. The transport, he found, was to a certain extent backward, but the officials and private persons were exerting themselves very much, and he estimated that in that district alone, 148,000 tons of grain and rice would be required. He then passed on to the adjoining district, and calculated that not less than 400,000 persons would, for the same time as he had before mentioned, be likely to be on the hands of the Government, and that 37,000 tons of grain and rice would be required for their relief. In the next district he visited he found that not less than 200,000 would be obliged to come to the Government for relief, and that a corresponding amount of grain and rice would have to be transported into the district; and he further reported that the transport arrangements were not so perfect as he could have wished. Now, during the time that had elapsed between the holding of the first meeting by the Governor-General at Calcutta and the starting of Sir Richard Temple on this expedition, the Viceroy had frequently in public despatches expressed his dissatisfaction with the state of the local

transport, and had urged upon the Lieutenant Governor of Bengal the necessity of more strict supervision, so that the necessary transport requirements might be adequately met. Sir Richard Temple, during the expedition to which he had referred, went up far north, and found that in the districts beyond our own—in Nepal—there was considerable scarcity and distress. The House would see that the difficulty to be overcome in dealing with the district north of the Ganges was rendered greater by the fact that there was access to it only from the south, and that the districts which lay to the north, beyond our border, were themselves in a state of great distress. The Government had, therefore, to contend with very great and exceptional difficulties in transporting food to the distressed districts. He might state that Sir Richard Temple had estimated that the amount of grain and rice which would be required in the provinces he had visited amounted to not less than 332,000 tons. Since then they had had information by telegraph that that amount should be considerably increased. Now, what amount had Lord Northbrook procured? By the last telegram received they learnt that he had ordered 425,000 tons of rice and grain, and that on the 4th of March, 100,000 tons of that amount had arrived at Calcutta. Although they could not from their recent advices from India state positively that more than 425,000 tons had been purchased, yet the Secretary of State for India, both the late and the present, had earnestly impressed upon Lord Northbrook the necessity of purchasing amply sufficient stores of grain and rice to meet the heaviest estimates that had been made, and had further pointed out that, on the one hand, if his estimates should exceed the requirements, the result would merely be that a certain amount of food would remain upon the hands of the Government which they could easily dispose of at a pecuniary loss, while, on the other hand, if his supplies should in any way run short the most terrible responsibility would rest upon all concerned in the government of India. Therefore, as they could not say that the 425,000 tons, although considerably in excess of the estimates the Government had received, would be sufficient, that amount would be considerably added to during the next few weeks. He now came to the im-

portant question of transport. That was from the first seen by the Governor General to be the great difficulty to be contended with. Sir Richard Temple, during his expedition through the northern tracts, placed the transport in a fair state of organization, and to give the House some little idea of the enormous amount of carriage required to transport the food necessary to feed so large a population, he might say that not very long ago they received a telegram from Sir Richard Temple, in which he stated that he had no fewer than 50,000 carts at work north of the Ganges, and that that number would shortly be increased to 70,000. The amount of grain now carried by the East India railroad, running nearly parallel with the Ganges, was not less than 4,000 tons *per diem*—a little more than 2,000 from Calcutta, and the rest from the north-west Provinces—the greater part of which was imported by private traders. The great burden cast on the East India Line had attracted the attention of the Government, and only the other day a gentleman was commissioned to engage, if possible, 40 English stokers, and send them out by the earliest mail. Attention had also been paid to increasing the rolling stock and supplementing the engines at present available. Owing to the scarcity of rain during the past few months, many rivers were too low to be utilized for water carriage; but the Indian Government had asked the Imperial Government to authorize the building of steamers, and 10 had been ordered on almost the same lines as those recently built for the Dutch to assist them in their war in Sumatra. These, it was hoped, would soon be completed, and would be carried out in sections by the Suez Canal, each having a carrying power of 20 tons, while it was proposed to send out with them five barges, each carrying 60 tons. The Indian Government, moreover, had ordered four steamers at Calcutta, so that when the rainy season set in, the rivers would be thoroughly utilized throughout the distressed districts. A tramway, or rather railroad, had also been laid with great expedition from the Ganges up to the most distressed districts, a large quantity of *matériel* lying at Calcutta, and intended for one of the large lines, having been employed. He believed it would in a very short time be fit for use, in

which case it would relieve very considerably the local transport. In the northernmost parts of Tirhoot, there being few roads, the local authorities had felt the necessity of relying a good deal on hand carriage, and to overcome the difficulty, small bags to contain 60lbs. of rice were being prepared in Bengal. Considerable anxiety had been felt as to the labour test, which it had been supposed, was rigidly enforced. Lord Northbrook, however, in a Circular of the 13th of February, addressed to all the Government officials, had laid down that it was merely a precautionary measure, and was not to be applied to those who had been hitherto unaccustomed to labour, or who were of such high rank as to prevent their accepting food on such terms. The labourers on many Relief Works had hitherto been paid in money; but it was felt by the Indian Government that when prices became very high it would be impossible for those receiving but small sums to purchase sufficient food, and Lord Northbrook had therefore decided that when 20lbs. of rice could only be purchased for 2s., food instead of money should be given. Many comments had been made on the class of food imported by the Indian Government from Burmah and elsewhere, and experiments had been made as to its nutritiousness. A Government order was issued to eat a certain amount of Burmah rice and report from hour to hour how digestion was going on. He ultimately reported that it was not unpalatable and was easily digested, and although it could not be hoped that everybody was as complaisant as Government *employés*, there was reason to believe that the aversion which might be felt to Burmese rice resulted from the prejudice arising from ignorance, which frequently caused the lower orders at home to refuse healthy and nutritious food merely because they were not accustomed to it. Lord Northbrook had set out elaborate rules indicating what were to be the nature and duties of the relief committees, the necessity of which was evidenced by the fact that a strong opinion existed that it was the duty of the Government to provide food and its distribution, and that private individuals should in no way interfere. Now, in the famine in the north-west Provinces in 1869-70, the total number of persons daily relieved was upwards

of 100,000, of whom 80,000 were on the Government relief works, and 20,000 were relieved by relief societies. Those rules were to the effect that the chief duty of such committees was not to purchase, but to distribute, grain, and he attached much importance to their formation, because it placed at the disposal of the Government an organization for distribution which could not otherwise be obtained. In no country was it more necessary to secure the co-operation of native gentlemen than in India, for he was informed by the best authority that there were many well-born persons who would far sooner starve than incur what they deemed contamination, and who could not be kept alive unless the food was actually brought to their houses by persons whom they knew, or who were of their own caste and rank. Now, Government relief, especially if on a large scale, must be administered on system, and no system could be made sufficiently elastic to meet all these exceptional and isolated cases of distress. It was, therefore, earnestly to be hoped that persons would subscribe as well as give their moral support to the formation of relief committees, for, even from his limited knowledge of India, he was sure the famine could only be successfully combated by a thorough system of relief committees established throughout the distressed districts. The hon. Gentleman the Member for Sunderland (Mr. Gourley) had given Notice of a Question as to the measures the Government were prepared to take to prevent a repetition of the famine. Now, there were two classes of public works which could alone do this—irrigation, which would save the country from the effects of drought, and roads, which would open it up, and facilitate communication. With reference to these, a very large number of persons were at work on the Soane canal, with which many hon. Members were acquainted, as well as the various canals connecting it with the Ganges, while north of that river many persons had been employed during the past few months upon the Gunduck embankment. At the same time, in the north of Bengal many persons had been employed on the construction of a railway, while a tramway, or rather railroad, had been laid to the most distressed part of Tirhoot, and in every other part of the district, roads were being made and

tanks made or cleaned out. Before turning to the financial part of the question, he must testify to the personal courage and resolution which had been exhibited by the Viceroy during this trying emergency. He had never deviated from the principles on which he believed it would be right to carry out relief. He had been subjected to attacks both in India and in England, but there was only one point to which he would allude. He had been severely criticized for not prohibiting the export of rice from Bengal. That question resolved itself into two—the effect as regarded the supply of food, and the ultimate effect on the trade of Bengal. The latter it was now hardly necessary to consider. He now came to what would have been the immediate effect in reference to the food supply required for the present emergency. Those who blamed Lord Northbrook for not prohibiting the export of rice and grain, did not seem to have learnt the first principle on which he had conducted his measures for the relief of the distress. Lord Northbrook saw that the calamity was one of so gigantic a nature that it would be utterly impossible for any Government to cope with it alone, and he therefore laid it down that it was the duty of the Government in no way in the first instance to interfere with private trade, but that they must rely mainly in the first instance on private trade and enterprise in supplying the wants of the people, and that when private trade failed, then it would be the duty of the Government—having in the meantime provided stores—to supplement it and supply deficiencies. He ventured to say that no one placed in Lord Northbrook's critical and exceptional position could well have come to any other determination, and the best justification of that measure was founded on the fact that at the present moment grain was pouring in from the north-west Provinces mainly through private trade at the rate of 1,500 tons *per diem*. Another strong reason for not prohibiting exports was that famines had occurred from time to time in various parts of India, and, although they were localized, they had been very severe in the localities to which they were restricted, mainly because a system of selfish isolation was pursued by the native rulers who refused to allow food to be exported

from their districts. We had constantly preached against that practice, and he could not conceive a greater satire on our doctrine than if we had ourselves adopted the very principle we had condemned, the very first time that we had to contend with famine on a large scale. In the Council Chamber at Calcutta there was an old motto indicative of that high quality which had enabled us as Europeans to maintain our Empire, and it was comprised in these four words—“*Mens aqua in arduis.*” It had distinguished many illustrious men who had filled the office of Viceroy of India; and of this he was certain, that though many had borne their part in deeds which might perhaps have more attracted the eye of the superficial public, yet, when history came to be written, no man would be found more justly entitled to credit for the quality he had mentioned than Lord Northbrook, as shown in his personal conduct during the great crisis through which they were now passing. Let him say one word with reference to finance. He had stated that they would ask powers to raise £10,000,000, but he sincerely trusted it would not be necessary for them to raise any sum equivalent to that amount. At the present moment they drew monthly upon the Government of India for about £1,300,000. Some time back the Governor-General telegraphed to the Secretary of State, requesting him to diminish his monthly drafts by £250,000. The Duke of Argyll had proposed, and Lord Salisbury had agreed to diminish them still further, and they had now reduced them by £400,000 per month. The expenditure for the famine up to the end of February was about £2,500,000. Sir George Campbell, in his Estimates—which would shortly be before the House—calculated that the total amount incurred in relieving the distress and in starting relief works during that famine would be £6,295,000, but of that sum about £1,900,000 was expected to be refunded, and speaking roughly it was estimated that the total expenditure would not be less than £4,500,000. Although they hoped it might not be necessary for the Secretary of State in Council to raise more than the £3,000,000 which would be the amount by which he was originally requested to reduce his monthly drafts—namely, £250,000 per month, still he



deemed it absolutely essential to ask for longer powers, and for this reason—it was impossible to foretell what would be the condition of the great winter crops this year. Parliament would in all probability be up at the end of July; they would receive no accurate information very likely till late in October, and those who had experience of the East knew that those famines frequently lasted more than one year, and he would point out to the House what a terrible position they would be placed in if they merely asked for power to borrow £3,000,000, the amount by which Lord Northbrook expected them to diminish their drafts, and when Parliament was prorogued they received intelligence from India that there was every probability of a perhaps even more dreadful famine lasting during the winter months, and they had no power of raising the necessary money to meet such an emergency. Proposals had been made, both in public and in private, by which it was insinuated that it would have been a better course if the English Government had undertaken to guarantee any loan which they might propose to raise; but he thought that anybody who considered the matter would see that it would confer very little present advantage, while unquestionably it would deteriorate their financial character morally, and ultimately India would have to pay dearly for the English guarantee. He would only add one word in conclusion. It might be thought by some hon. Gentlemen, as they proposed to borrow £10,000,000 when they were asked for £3,000,000, that they were about to inaugurate an era of extravagance in India, but he could assure them that no one was more anxious than the present Secretary of State for the economical administration of the finances of India. His noble Friend conceived that for years the revenue, as well as the expenditure, of that country would require the most careful supervision to place it in a satisfactory position after such a terrible famine. He felt, further, that it was the duty of the Government to develop as far as possible the resources of India, with a view of preventing the recurrence of a similar calamity. But the difficulty which every one connected with India had to contend with could be summed up in a sentence—they had to govern India upon European principles, and they had merely

an Asiatic revenue to depend upon. It had been supposed in years gone by that the functions of the Government were merely to collect the revenue and maintain peace and order; now he was glad to say they had higher and nobler views, and it would be the earnest wish of the Secretary of State in Council to develop by every practicable means the material resources of that country. His noble Friend felt that after they had successfully passed through the present ordeal, public attention would naturally be directed to India, and they hoped also that private enterprise would be extended in that country. He trusted that no one would grudge the money that was now asked for. He could not conceive that the sternest economist could hesitate when the choice lay between the expenditure of millions of money and the sacrifice of millions of lives. He therefore hoped the House would accord its unanimous assent to the bringing in of that Bill, and by doing so place at the disposal of the Indian Government the requisite funds which alone could enable them successfully to terminate the dreadful battle they were now fighting against famine and all its attendant horrors. He would conclude by moving the Resolution.

*Moved to resolve,* That it is expedient to enable the Secretary of State in Council of India to raise a sum, not exceeding £10,000,000, in the United Kingdom, for the service of the Government of India, on the credit of the revenues of India.

MR. BECKETT-DENISON said, he wished to congratulate the noble Lord the Under Secretary of State for India on the admirable manner in which he had performed the delicate and difficult task which had been entrusted to him. He rejoiced at the measure which the Government proposed to take, believing it was a first step in the right direction. The finances of India did not at this moment require the Imperial guarantee. They were sufficiently sound and solid for Parliament simply to give its sanction to the raising of such a loan as the Indian Government thought necessary for the moment. He sincerely trusted that the calculations made by the Viceroy and the Home Government would be amply justified by the result. He had never felt any serious doubts as to the ability of the Indian Government to supply the requisite

amount of food; his apprehensions related to the question of transport, and the still greater difficulties of distribution. He was not at present prepared to say that the difficulties in the way of transport had been overcome, and he had only to express his earnest hope that these difficulties which were not matters of to-day or to-morrow, might by the varied and concentrated energy of Indian officials be successfully combated. As to the distribution of food when it reached its destination, he could not hesitate to believe that with the example of the Governor-General and the Lieutenant Governors before them, there would not be a man in any of the districts in question who would not give the Government all the assistance which so great an emergency demanded. There could, he might add, be no question that private charity would have an ample field for its exercise, even in the later days of the famine, when hundreds of thousands of people would be in such a state of helplessness that they would have to depend upon relief rather than upon the labour of their own hands, and if it should be found necessary to supplement the larger works of irrigation and locomotion which had been referred to, Parliament would, no doubt, give its assent.

MR. LAING expressed the great satisfaction with which he had listened to the statement of the noble Lord the Under Secretary for India. It showed that a great calamity had been met in a spirit worthy of the English nation and of the Government of India. It was perfectly clear that the Government had not been drifting on loosely and vaguely, but that the difficulty had been looked in the face by Lord Northbrook from the first, and that he had provided for it with a wisdom and energy deserving of commendation. The late as well as the present Government showed, in his opinion, great wisdom in not interfering with the measures taken by the Viceroy. Our duty was, beyond doubt, to furnish without stint the means necessary to meet the emergency, and then to give the able men who had to deal with it in India our cordial support. As to the particular proposal before the House, the Government was, he thought, quite right in applying for a large sum of money to cover any possible contingency, though the whole of that money might not be required. In the long run it would, he

believed, be found to be the truest economy to provide ample resources. With respect to an Imperial guarantee, it might have been granted if the financial position of India had been entirely different; but when a question of merely a half or three-quarters per cent was involved it would be unwise, in his opinion, 'to raise a large question for so small an amount. He wished, in conclusion, to ask the noble Lord, as the whole of the £10,000,000 was not likely to be wanted, if he could tell the amounts which would be required, and the periods at which it would probably be necessary to raise the money in this country?

GENERAL SIR GEORGE BALFOUR said, that if Parliament rose early he hoped that Government would take care that proper funds should be available, if required, for the saving of life in India, for he doubted very much when he recalled the history of the famine which had occurred in the same part of India 100 years ago, whether the present famine would not continue till September, and therefore whether it would not be wise to ask for powers to borrow £15,000,000 instead of £10,000,000. He thought he might add that, owing to the inaccurate and indeed unreliable statistics they were possessed of relating to Bengal, the causes of the famine ought to be clearly investigated, and the area of cultivated land for the production of food ought to be considerably extended, in order that an adequate supply of food might be provided for the present vast and yearly increasing population of the country. Steps ought also, he contended, to be taken to meet the difficulties of transport and distribution of food which were obviously the serious obstacles, in the present crisis, to feeding the people. He trusted the House would cordially support the propositions now made to it, and without delay pass the Bill authorizing a loan of £10,000,000, and thereby prove to India that the people of this country were anxious and ready to lend their money to aid the Government to provide food for the famine-struck districts of Bengal.

*Motion agreed to.*

*Resolved,* That it is expedient to enable the Secretary of State in Council of India to raise a sum, not exceeding £10,000,000, in the United Kingdom, for the service of the Government of India, on the credit of the revenues of India.

*Resolution to be reported To-morrow.*

*Mr. Beckett-Denison*

**EAST INDIA [ANNUITY FUNDS].**—Committee to consider of making provision for the transfer of the Assets and Liabilities of the Bengal and Madras Civil Service Annuity Funds, and the Annuity Branch of the Bombay Civil Fund, to the Secretary of State for India in Council (Queen's Recommendation signified), *To-morrow.*

#### PUBLIC ACCOUNTS.

Committee of Public Accounts *nominated*:—MR. CUBITT, MR. O'REILLY, MR. SEELY, MR. LIDDELL, MR. GOLDNEY, MR. DODSON, MR. SALT, COLONEL BARTTELOT, MR. THOMSON HANKEY, LORD FREDERICK CAVENDISH, and MR. WILLIAM HENRY SMITH.

#### PRINTING.

Select Committee *appointed*, "to assist Mr. Speaker in all matters which relate to the Printing executed by the Order of this House, and for the purpose of selecting and arranging for Printing, Returns and Papers presented in pursuance of Motions made by Members of this House:"—MR. SPENCER WALPOLE, MR. HENLEY, MR. CHANCELLOR of the EXCHEQUER, THE O'CONOR DON, MR. HUNT, MR. STANSFELD, MR. SCLATER-BOOTH, MR. DODSON, MR. MASSEY, MR. WHITBREAD, and MR. WILLIAM HENRY SMITH:—Three to be the quorum.

#### KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS).

Standing Committee *appointed*, "to control the arrangements of the Kitchen and Refreshment Rooms, in the department of the Serjeant at Arms attending this House:"—Committee *nominated*:—MR. ADAM, MR. DYKE, MR. EDWARDS, MR. DICK, MR. GOLDNEY, MR. STACPOOLE, SIR HENRY WOLFF, CAPTAIN HAYTER, MR. MUNTZ, and LORD KENSINGTON:—Three to be the quorum.

#### ANCIENT MONUMENTS BILL.

On Motion of Sir JOHN LUBBOCK, Bill for the Preservation of Ancient Monuments, *ordered* to be brought in by Sir JOHN LUBBOCK, MR. RUSSELL GURNEY, MR. BERESFORD HOPE, SIR WILLIAM STIRLING MAXWELL, and MR. OSBORNE MORGAN.

Bill *presented*, and read the first time. [Bill 1.]

#### TRIBUNALS OF COMMERCE BILL.

On Motion of Mr. WHITWELL, Bill for the establishment of Tribunals of Commerce, *ordered* to be brought in by Mr. WHITWELL, MR. NORWOOD, MR. MONK, MR. SAMPSON LLOYD, and MR. RIPLEY.

Bill *presented*, and read the first time. [Bill 2.]

#### METROPOLITAN BUILDINGS AND MANAGEMENT BILL.

On Motion of Colonel Hogg, Bill for consolidating, with Amendments, the Building Acts relating to the Metropolis; for making better provision respecting Streets and Sewers and Drains in the Metropolis; and for other purposes relating to the Metropolis, *ordered* to be brought in by Colonel Hogg, MR. GRANTHAM, and SIR HENRY WOLFF.

Bill *presented* and read the first time. [Bill 3.]

#### BETTING BILL.

On Motion of Mr. ANDERSON, Bill to amend the Act of sixteen and seventeen Victoria, chapter one hundred and nineteen, intituled, "An Act for the suppression of Betting Houses," *ordered* to be brought in by Mr. ANDERSON, SIR WILLIAM STIRLING MAXWELL, MR. STEVENSON, and MR. M'LAGAN.

Bill *presented*, and read the first time. [Bill 4.]

#### FACTORY ACTS AMENDMENT BILL.

On Motion of Mr. MUNDELLA, Bill to amend the Factory Acts, *ordered* to be brought in by Mr. MUNDELLA, MR. SHAW, MR. CALLENDER, MR. PHILIPS, MR. COBBETT, MR. ANDERSON, and MR. MORLEY.

Bill *presented*, and read the first time. [Bill 5.]

#### ELEMENTARY EDUCATION ACT (1870)

##### AMENDMENT BILL.

On Motion of Mr. RICHARD, Bill to repeal the Twenty-fifth Clause of the Elementary Education Act (1870), *ordered* to be brought in by Mr. RICHARD, SIR THOMAS BAZLEY, MR. MORLEY, MR. WILLIAM M'ARTHUR, and SIR HENRY HAVELOCK.

Bill *presented*, and read the first time. [Bill 6.]

#### HOUSEHOLD FRANCHISE (COUNTIES) BILL.

On Motion of Mr. TREVELLYAN, Bill to extend the Household Franchise to Counties, *ordered* to be brought in by Mr. TREVELLYAN, MR. LAMBERT, MR. OSBORNE MORGAN, SIR ROBERT ANSTRUTHER, and The O'DONOGHUE.

Bill *presented*, and read the first time. [Bill 7.]

#### LEASES AND SALES OF SETTLED ESTATES BILL.

On Motion of Mr. GREGORY, Bill to extend the powers of the Leases and Sales of Settled Estates Act, *ordered* to be brought in by Mr. GREGORY, SIR JOHN KENNAWAY, and MR. LOPES.

Bill *presented*, and read the first time. [Bill 8.]

#### PERMISSIVE PROHIBITORY LIQUOR BILL.

*Considered* in Committee.

(In the Committee.)

*Resolved*, That the Chairman be directed to move the House, that leave be given to bring in a Bill to enable Owners and Occupiers of Property in certain districts to prevent the common sale of Intoxicating Liquors within such districts.

*Resolution reported*:—Bill *ordered* to be brought in by Sir WILFRID LAWSON, SIR THOMAS BAZLEY, MR. DOWNING, MR. RICHARD, MR. DALWAY, MR. CHARLES CAMERON, and MR. WILLIAM JOHNSTON.

Bill *presented*, and read the first time. [Bill 9.]

#### SPIRITUOUS LIQUORS (SCOTLAND) BILL.

*Considered* in Committee.

(In the Committee.)

*Resolved*, That the Chairman be directed to move the House, that leave be given to bring in a Bill for placing the sale by retail of Spirituous Liquors in Scotland under local control.

*Resolution reported*:—Bill *ordered* to be brought in by SIR ROBERT ANSTRUTHER, MR. FORDYCE, and MR. DALRYMPLE.

Bill *presented*, and read the first time. [Bill 10.]

## MERCHANT SHIPPING SURVEY BILL.

*Considered in Committee.*

(In the Committee.)

*Resolved*, That the Chairman be directed to move the House, that leave be given to bring in a Bill to provide for the periodical Survey of Merchant Ships, and for so marking Ships as to diminish the practice of overloading.

*Resolution reported*: — Bill *ordered* to be brought in by Mr. PLIMSOLL, Mr. ROEBUCK, Mr. SAMUDA, Mr. KIRKMAN HODGSON, and Mr. HORSMAN.

Bill *presented*, and read the first time. [Bill 11.]

## MARRIED WOMEN'S PROPERTY ACT (1870)

## AMENDMENT BILL.

On Motion of Mr. MORLEY, Bill to amend the Married Women's Property Act, 1870, *ordered* to be brought in by Mr. MORLEY, Sir JOHN LUBBOCK, and Sir CHARLES MILLS.

Bill *presented*, and read the first time. [Bill 12.]

## OFFENCES AGAINST THE PERSON BILL.

On Motion of Mr. CHARLEY, Bill to amend the Law relating to Offences against the Person, *ordered* to be brought in by Mr. CHARLEY, Mr. WHITWELL, and Mr. EDWARD DAVENPORT.

Bill *presented*, and read the first time. [Bill 13.]

## WOMEN'S DISABILITIES REMOVAL BILL.

On Motion of Mr. FORSYTH, Bill to remove the Electoral Disabilities of Women, *ordered* to be brought in by Mr. FORSYTH, Sir ROBERT ANSTRUTHER, Mr. RUSSELL GURNEY, and Mr. STANSFELD.

Bill *presented*, and read the first time. [Bill 14.]

## REVENUE OFFICERS DISABILITIES BILL.

On Motion of Mr. MONK, Bill to relieve Revenue Officers from remaining Electoral Disabilities, *ordered* to be brought in by Mr. MONK and Mr. RUSSELL GURNEY.

Bill *presented*, and read the first time. [Bill 15.]

## ELEMENTARY EDUCATION (COMPULSORY ATTENDANCE) BILL.

On Motion of Mr. DIXON, Bill to amend the Elementary Education Act, 1870, by making obligatory the formation of School Boards and the enactment of compulsory attendance Bye-laws in England and Wales, *ordered* to be brought in by Mr. DIXON, Mr. MUNDELLA, Sir JOHN LUBBOCK, Mr. TREVELYAN, and Mr. MRELY.

Bill *presented*, and read the first time. [Bill 16.]

## GAME LAWS (SCOTLAND) BILL.

On Motion of Mr. M'LAGAN, Bill to consolidate and amend the Laws relating to Game in Scotland, *ordered* to be brought in by Mr. M'LAGAN, Sir EDWARD COLEBROOKE, Mr. ORR EWING, and Mr. MAITLAND.

Bill *presented*, and read the first time. [Bill 17.]

## JURIES BILL.

On Motion of Mr. LOPES, Bill to amend and consolidate the Law relating to Juries, *ordered* to be brought in by Mr. LOPES, Mr. GREGORY, and Mr. GOLDNEY.

Bill *presented*, and read the first time. [Bill 18.]

## IMPRISONMENT FOR DEBT BILL.

On Motion of Mr. BASS, Bill to amend the Law of Imprisonment for Debt by County Court Judges, *ordered* to be brought in by Mr. BASS, Mr. COBBETT, and Mr. HENRY FEILDEN.

Bill *presented*, and read the first time. [Bill 19.]

## LANDLORD AND TENANT (IRELAND) ACT (1870) AMENDMENT BILL.

On Motion of Mr. NOLAN, Bill to amend "The Landlord and Tenant (Ireland) Act, 1870," *ordered* to be brought in by Mr. NOLAN, Sir JOHN GRAY, Mr. MELDON, and Mr. TIGHE.

Bill *presented*, and read the first time. [Bill 20.]

## PARLIAMENTARY ELECTIONS (POLLING) BILL.

On Motion of Sir CHARLES DILKE, Bill to extend the hours of Polling at Parliamentary Elections, *ordered* to be brought in by Sir CHARLES DILKE, Mr. ANDERSON, Mr. BURT, Mr. MACDONALD, and Mr. NORWOOD.

Bill *presented*, and read the first time. [Bill 21.]

## WORKING MEN'S DWELLINGS BILL.

On Motion of Mr. WHITWELL, Bill to facilitate the erection of Dwellings for Working Men on land belonging to Municipal Corporations, *ordered* to be brought in by Mr. WHITWELL and Mr. MORLEY.

Bill *presented*, and read the first time. [Bill 22.]

## PUBLIC MEETINGS (IRELAND) BILL.

On Motion of Mr. P. J. SMYTH, Bill to assimilate the Law of Ireland with reference to public meetings to that of England, *ordered* to be brought in by Mr. P. J. SMYTH, Mr. RONAYNE, and Mr. M'CARTHY DOWNING.

Bill *presented*, and read the first time. [Bill 23.]

## LEGAL PRACTITIONERS BILL.

On Motion of Mr. CHARLEY, Bill to amend the Law relating to Legal Practitioners, *ordered* to be brought in by Mr. CHARLEY and Mr. CHARLES LEWIS.

Bill *presented*, and read the first time. [Bill 24.]

## INFANTICIDE BILL.

On Motion of Mr. CHARLEY, Bill to amend the Law relating to Infanticide, *ordered* to be brought in by Mr. CHARLEY, Mr. GILPIN, Mr. HOLKER, and Mr. EDWARD DAVENPORT.

Bill *presented*, and read the first time. [Bill 25.]

## CHURCH RATES ABOLITION (SCOTLAND)

## BILL.

On Motion of Mr. M'LAREN, Bill for the abolition of Compulsory Church Rates in Scotland, ordered to be brought in by Mr. M'LAREN, Mr. BAXTER, Mr. TREVELLYAN, Mr. GRIEVE, Mr. LAING, Sir GEORGE BALFOUR, and Dr. CAMERON.

Bill presented, and read the first time. [Bill 26.]

## PUBLIC WORSHIP FACILITIES BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to provide facilities for the performance of Public Worship according to the rites and ceremonies of the Church of England.

Resolution reported:—Bill ordered to be brought in by Mr. SALT and Mr. CAWLEY.

Bill presented, and read the first time. [Bill 27.]

House adjourned at a quarter before One o'clock.

## HOUSE OF COMMONS,

*Saturday, 21st March, 1874.*

The House met at Twelve of the clock.

MINUTES.]—NEW MEMBER SWORN—Right Hon. Lord John Manners, for Leicester County (Northern Division).

Select Committee—Standing Orders, nominated; Selection, nominated.

SUPPLY—considered in Committee—CIVIL SERVICE ESTIMATES—Post Office Telegraphs.

WAYS AND MEANS—considered in Committee—Consolidated Fund (£1,422,797 14s. 6d.)

RESOLUTIONS IN COMMITTEE—East India [Annuity Funds]; Middlesex Sessions [Salaries, &c.]

PUBLIC BILL—Resolution [Mar 20] reported, and agreed to—Ordered—First Reading—East India Loan \* [28].

## SUPPLY—SUPPLEMENTARY ESTIMATES.

MR. DISRAELI: I beg to move that Mr. Cecil Raikes take the chair.

Motion agreed to.

SUPPLY—considered in Committee.

(In the Committee.)

(1.) That a sum, not exceeding £260,336 18s. 8d., be granted to Her Majesty, to make good Excesses of Expenditure beyond the Grants for the following Revenue Departments, for the year ending on the 31st day of March 1873: viz.—

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	£	s.	d.
Customs .. ..	10,383	11	6
Post Office .. ..	40,527	9	10
Post Office Packet Service ..	4,469	19	8
Post Office Telegraph Service ..	204,955	17	8
	£260,336	18	8

MR. DILLWYN said, that before the Vote was agreed to they ought to have some explanation as to the reason of these "excesses." Of the total amount, £204,000 was for the Telegraph service. Probably the House would remember the "Telegraph scandal" that occurred last year, when a large sum was expended in excess of the Votes. What he should now like to know was, whether the present excess had any connection with the former excess, or whether it was an excess that had since arisen?

MR. MONK said, that, as he understood the Vote, this excess arose in the year 1872-3, and had, therefore, nothing to do with the "Telegraph scandal." At the same time he quite agreed that they ought to have an explanation. He did not want to cast any blame on a late Postmaster General who, for his public services he presumed, had been raised to a seat in the Upper House, still less upon the hon. Member for the University of Edinburgh, who was so short a time in office; but it was evident that there had been great subserviency on the part of those responsible to Parliament to the views and wishes of their superordinates. In consequence of these inverted relations, an enormous sum of money had been spent upon the telegraphs without any authority last year, and now it seemed that those who were really responsible to the House did not know for what they were responsible. He hoped the noble Lord who had succeeded to the office of Postmaster General (Lord John Manners) would initiate a thorough reform in the administration of the Post Office, and would take care that his subordinates were really his subordinates, and not his masters.

GENERAL SIR GEORGE BALFOUR said, he was of opinion that as respected the Estimate to meet the excess on the expenditure for the year ending 31st March, 1873, the House ought to have been called upon to make good the deficiency by means of a Supplemental Estimate before the close of the year

1873, before which date the excess of expenditure in every branch of the service could, by means of a well kept account of all liabilities, be closely ascertained. It was a matter of grave complaint against the officials that they did not call attention to those excesses at the proper time. As regarded the Estimates for the current year to supplement those presented and passed by the House a year since, he thought it was a most objectionable practice to bring forward even these Supplemental Estimates after such a long delay. He would also urge that they were so defectively drawn out as made it impossible for any hon. Member to arrive at a conclusion as to whether the expenditure was warranted or not, and especially looking to the abbreviated way in which the Papers were presented, it was utterly impossible for any one without great labour to ascertain the total charge for the several items in the year's Estimate. He hoped that in future the Treasury would not only state the amount of any Supplemental Estimates, but also lay Papers in detail upon the Table, framed in such a way that hon. Members might see at once for what they were called upon to vote the public money. The Supplemental Estimates ought to show the total of the original Estimate of the Department requiring extra aid, and then in detail, the several items of that Estimate on which the excess had occurred, and in a separate column the amount required to supplement the original sum, and the total of the two for each item. It was only in this way that the check of the House and of the auditors could be effectually exercised. The late Government had omitted to discharge this duty. He hoped the present would not fall into the same error.

MR. LAING said, that if the House was sitting at the time any extra expenditure was incurred, no time should be lost in laying the Supplemental Estimates before it. To delay them until another Session, and then ask the House to vote such Estimates when it was difficult to examine them with any degree of accuracy, was like shutting the stable door after the steed was stolen. Under the circumstances, however, any discussion on the subject at present would be useless, seeing that the right hon. Gentleman under whom the extra expenditure had been incurred was no

longer in office, and the present Government were not responsible for it.

MR. LIDDELL said, he was of opinion that the House, as a rule, had been in the habit of voting too large sums on capital account for the Telegraph service. The House had already voted two large sums on that account—one of £7,000,000, and the other of £1,000,000, and as part of the sum now asked for was for buildings and furniture, he thought they ought to know whether it was voted on capital or on revenue account?

MR. W. H. SMITH explained that the item had nothing to do with what was called the "Telegraph scandal," but arose from the fact that the original estimate of £500,000 in 1872-3 was submitted without any details, and upon very slight experience of the cost of the Telegraph service. He had reason to believe, though he was not responsible for the excess, that with the utmost care a considerable expenditure could not have been foreseen. The suggestion of the hon. Baronet the Member for Kincardine (Sir George Balfour) would receive attention. There had been an understanding that the capital account should, as far as possible, be closed, for railway experience showed that whenever it was open there was a tendency to make use of it. It would be impolitic to charge wires, poles, apparatus, and furniture, which were subject to rapid wear and tear, to capital account.

*Vote agreed to.*

THE CHANCELLOR OF THE EXCHEQUER, who had given Notice of asking for a Vote of Credit of £900,000 for the expenses of the Expedition into Ashantee, said, he proposed to ask for only £800,000. It was customary when expeditions of this character were in question, and when it was difficult to estimate with precision the exact amount of the expenditure, to take a Vote of Credit for what was supposed to be the total cost of the expedition. In the present instance, the Vote of Credit included expenditure that would be incurred under the different heads of Army expenditure, Naval expenditure, and Colonial expenditure, because this expedition was of a peculiar character, embracing not only some of Her Majesty's Forces, the expense of which would be borne upon the Army and Navy Estimates respectively, but also a separate expedition which

*General Sir George Balfour*

had been under the command of Captain Glover, and had been directed by the Colonial Office, and with regard to which it would be necessary the Colonial Office should furnish the necessary information. The Treasury had been furnished with accounts from all the three Departments of the probable cost of the expedition; and it had been their impression that the total cost over and above the regular Army and Navy Votes which had been taken for the current year would be £900,000, and it had been the intention of the Government to ask for a Vote of Credit for that amount; but it had been pointed out to them by the Gentlemen composing the Public Accounts Committee that that would not be in accordance with the course recommended by the Committee last year. It had not unfrequently happened that Votes of Credit taken in one year had been allowed to go on for several years as unexhausted credits, so that five or six years after the whole service had been completed, questions arose whether particular items should be charged to them. The Committee, therefore, recommended that Votes of Credit should be made to cover only the financial year in which they were granted, and that the unexhausted balance should be surrendered to the Exchequer at the close of that year. The Treasury would, at the outset, have acted on this view, but for the probability that the expedition would close so speedily that the whole expenditure could be ascertained and disposed of in the course of this and the ensuing year, the balance being surrendered at the close of 1874-5. The Committee, however, deemed it more regular to take the Vote strictly for the present financial year; and as according to the best information, £800,000 would in all probability cover the whole expenditure required this year, with a probability that in the coming year a further sum of about £76,000 would be required for Admiralty services, the most convenient course would accordingly be to take a Vote of £800,000, any portion of which not required for the present year would be returned to the Exchequer, while the remaining expenditure would be defrayed by a further Vote of Credit taken next year, any balance being surrendered in the course of next year. In that way, the House would have in a convenient form the whole cost of the expedition.

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £800,000, be granted to Her Majesty, beyond the ordinary Grants, towards defraying the Expense which will come in course of payment during the year ending on the 31st day of March 1874, of the Expedition into Ashantee."

SIR JOHN HAY, in moving the reduction of the Vote by £15,000, said, there was one item in the Vote of Credit to which he wished to draw attention—namely, £310,000 for the transport of troops. He would be the last person in the world to challenge the expenditure on this most glorious expedition, in which everything had been done in a manner which reflected the highest credit upon all concerned. Nor did he object to the cost of transport by the ships of Her Majesty's Navy, which he thought was extremely moderate; but there was included in this item a sum of £15,000 to which he did object, seeing that it was in reality the price paid for the purchase of the *Dromedary*, formerly the *Briton*. He objected to this item in the first place on the ground that the cost of a vessel purchased for the general use of the Navy ought to be included in the ordinary Admiralty Estimates, and not in a Vote for a special expedition like that to Ashantee. His more serious objection, however, was that the *Dromedary* was not a fit vessel to be in the Navy at all. That ship was never surveyed by the Controllors of the Navy before it was purchased. It was a slow ship, and altogether not of the character for the kind of service required of her. In fact, even her former owners had admitted that the ship was not fit for their general purposes. He need not, however, go into the particulars, which had been referred to at a great many meetings during the autumn, and especially by the right hon. Gentleman opposite, the Member for Reading (Mr. Shaw-Lefevre), who told his constituents that he alone was responsible for the purchase of the ship, and that one of her recommendations was that she was slow, and would not carry the troops too rapidly to their destination; while an additional one was that all the vessels if they started from this country together would not arrive at the Gold Coast at the same time. These excuses did not bear examination. In fact, it was asserted by others that the ship was an old



worn-out vessel, utterly unfit for such a purpose as the conveyance of troops, unless it was desired to have a repetition of the *Megara*. If he was rightly informed, on the voyage home her engines had broken down more than once, her iron plates were very thin and worn, her masts and rigging and general condition of the worst character. He hoped that under any circumstances the vessel would not be retained in the service of the Admiralty; but at the same time, while making the objections he had, and moving the reduction of the Vote by the sum of £15,000, he wished to give full credit to the officers and men employed in her.

Motion made, and Question proposed,

"That a sum, not exceeding £785,000, be granted to Her Majesty, beyond the ordinary Grants, towards defraying the Expense which will come in course of payment during the year ending on the 31st day of March 1874, of the Expedition into Ashantee."—(*Sir John Hay.*)

MR. SHAW-LEFEVRE said, he was not sorry that the right hon. and gallant Member for Portsmouth (*Sir John Hay*) had brought the subject of the *Dromedary* before the House, because, although it might be more convenient if it came on when the vessel had returned to this country, yet he was glad to have an opportunity of making some further explanation in regard to her than he had done in the course of the Recess. The charges directed against the Government in respect to the purchase of the *Dromedary* were that the transaction was somewhat connected with the Zanzibar contract; that she was bought by way of compensating the Union Steam Company for the loss of that contract, of which it was the sequel, and that it was, in fact, a compensation job. His object in addressing his constituents and the newspapers on the subject was to give an answer to those charges. He had stated that he alone of the Members of the Government was aware that any negotiations were pending with the Union Steam Company, and if anybody had been guilty of such a job it must have been himself. He had repudiated the accusation in very strong language, which, perhaps, he ought not to use in that House; but if that accusation had been repeated in the House he certainly would have repelled it in language adequate for the purpose, but still, he hoped, consistent with the rules of Parliament. As, however, the

right hon. and gallant Gentleman had confined his criticisms to the expediency of the purchase only, he felt himself now relieved from the necessity of entering into that part of the question. The story of the purchase of the *Dromedary* was short and very simple. When they were hiring vessels for the Ashantee War, it occurred to him and his right hon. Friend the late First Lord of the Admiralty (*Mr. Goschen*) that it might be expedient, instead of hiring all the vessels required, to purchase one or two. In the case of the Abyssinian War, the Committee of that House thought it would have been advisable to adopt such a course. If he was correctly informed, the right hon. and gallant Gentleman had himself in several instances sanctioned the hire of a vessel at a larger cost than her actual value. A good deal of evidence was given on that subject, and it therefore occurred to him and his right hon. Friend that it would be advisable to avoid any such mistake. They also thought, as they were in the market for the hire of vessels, that the Government ought not to be wholly at the mercy of the shipowners, and the fact of their being in a position to buy vessels in many cases enabled them to obtain contracts for hire on much more reasonable terms. The Admiralty had been in want of store vessels to carry stores to the different naval stations. At that time they had numerous vessels—he thought not fewer than 26—all of them offered for hire, and some of them for purchase; and the Director of Transports picked out the *Dromedary* as one of the most suitable for their purpose. She was recommended, also, by Admiral Seymour, then Superintendent of Naval Transport, and it was determined to purchase her. She was purchased. Two dockyard officers made a survey of her and reported that she was fit for the service for which they intended her. He did not wish to disclaim any responsibility, but his responsibility in the matter was small. All that he was anxious for was only that the Department should have a vessel that would be useful to them; and he would not himself say that the *Briton*, afterwards called the *Dromedary*, was a specially suitable vessel. That was a matter to be determined by the naval officers connected with the Department. When the vessel had been duly recommended to them, and the price asked for her was deemed

*Sir John Hay*

to be reasonable, he and his right hon. Friend sanctioned the purchase of her. When they originally bought her, it was intended to use her only as a store vessel, and it was not contemplated to send her out with any troops at all. When, however, the *Dromedary* came into the market, it was suggested by the Director of Transports that she might be used for the conveyance of invalids from the Gold Coast to St. Vincent's, and she was bought with the intention of sending out stores in her for the Ashantee War, and then taking invalids from the Gold Coast to St. Vincent's. As an after-thought, however, it was felt that it might be expedient to send out in her 100 Marines, over and above the force sent to Sir Garnet Wolseley. It was never intended originally to send out those Marines; but, as it was found there would be room for them, it was thought it would be better to send out 100 of them as an addition to the force, and accordingly they were put on board the *Dromedary*. With regard to the change of the vessel's name from the *Briton* to the *Dromedary*, the sole reason for it was that they had already a vessel called the *Briton* in the service, and therefore they named their new purchase the *Dromedary*. When purchased she was never intended for the naval service. She was bought for the Ashantee War, and if on the termination of that war it was found that she had performed her work well, and she was still reported to be suitable for the service, then she could, if they pleased, be added permanently to the Navy. He would further say that when her name was changed he complained of it, thinking, as she was not permanently added to the service, it would be better to call her the *Briton*. He rather doubted the legality of changing the name of a merchant vessel, but as the alteration had already been made he left the name where it stood. The only additional question was whether she had been a suitable vessel for the purpose for which she was intended. The right hon. and gallant Gentleman said it was stated in the papers that he defended the purchase on the ground that she was a slow vessel. That was an entire mis-statement. What he said was that he knew she was not the fastest vessel, but as fast as any which they sent with stores for Ashantee. Where they required the services of a fast vessel

they did not hesitate to obtain one; and, as the 42nd Regiment was wanted at the Gold Coast, when time was a great object, and they were advised by the War Office that it was very important that the regiment should be there on the earliest possible day, they gave £35,000 for the hire of a fast vessel for a few months, whereas, in the case of the *Dromedary*, they bought her out and out for £15,000. The *Dromedary*, in fact, was as fast as any of the other vessels which they hired for the same purpose, and the result had shown that she was so. She had gone out to the Gold Coast as quickly as any other store vessel except one—the *Sarmatian*—of extraordinary speed. She had conveyed 100 Marines there in admirable time to take part in any operations; she had performed the service to the full satisfaction of her officers and the Director of Transport, and had, in fact, generally given satisfaction. When she returned to this country it would be for his right hon. Friend opposite (Mr. Hunt) to determine whether, on the whole, it was expedient to retain her permanently for the Navy or to sell her again. The only remaining question which he had to deal with was as to the price they had paid for her. Well, they were advised by the Director of Transports that the sum asked—£15,000—was not an unreasonable amount. Her boilers were stated to be likely to last two years more. She was not a new vessel; but, on the other hand, her hull was very strong; she was otherwise in fair and good condition, and, on the whole, it was thought she was worth £15,000. In conclusion, the more that transaction was examined, the more satisfactory it would be found. Great credit was due to the Director of Transports for the mode in which he had conducted the whole of the operations. The work which had been done in the hiring of these steamers and the purchase of the *Dromedary* and another vessel would, he believed, bear favourable comparison with the experience of the Abyssinian campaign. If the right hon. and gallant Gentleman (Sir John Hay) contemplated visiting a distant colony, he could not do better than take the *Dromedary*. As to the objection that the purchase of that vessel ought not to be charged on the Vote of Credit for the Ashantee War, it might have held good if she had been bought out-right for the permanent Naval

Service; but, as he had explained, that was not the case. If, therefore, at the close of the war she was sold, of course the price would be brought to the credit of the Ashantee Vote. On the other hand, if she were still retained for the Navy, it might be a question whether a portion of the cost of purchasing her ought not to be charged generally to the Naval Service. But the proper course on the present occasion was to charge the cost of the vessel to the Ashantee War.

ADMIRAL SIR WILLIAM EDMONSTONE said, that when he was stationed, some 14 years ago, on the Coast of Africa, he constantly met that far-famed vessel the *Briton*, known as the *Ancient Briton*, now called the *Dromedary*, at Ascension, and then he certainly should not have said she was fit to carry Her Majesty's troops. If, however, the description given of her recent performances by the late Secretary of the Admiralty was correct, he was very glad of it, for the sake of the service.

MR. LIDDELL said, the hon. Gentleman opposite (Mr. Shaw-Lefevre) rested his defence very much on the fact that the *Dromedary* was purchased as a store ship, while he admitted that by an after-thought she was used in a different capacity. Now, it was a proverb that second thoughts were best; and, unless his memory deceived him very much, that vessel conveyed troops towards the close of the year to the Coast of Africa. It was acknowledged that she took out Marines, a force which bore the brunt of a most important part of the war, and who, to all intents and purposes, were troops. The hon. Gentleman said they knew she was not the fastest vessel in the merchant service; but was he quite sure she was not one of the slowest? They might remember the account given of that ship on a public occasion by the chairman of the company to which she had belonged, and that he congratulated his Board on the fact that they had heard of her for the last time. The Admiralty, with their eyes open, bought an exceedingly slow vessel, and sent her out for the first time with stores and Marines, whose speedy arrival was probably expected in great anxiety at a moment when time was everything. He hoped when the proper time came, that the services of that noble corps, who had so gallantly distinguished

themselves throughout the war, bearing as they had the brunt of the campaign, would not be forgotten. He, therefore, did not think the case sought to be made out for the purchase of the *Briton* was entirely satisfactory, and his right hon. and gallant Friend had done his duty in calling attention to the matter, although, perhaps, he would not trouble the House to divide upon it. In his opinion, the name *Dromedary* was not well chosen in this case, as it properly belonged to a fast-travelling beast.

MR. DILLWYN thought that question had been properly brought forward and answered most satisfactorily; and they ought now to keep to the business for which they had been called together, somewhat inconveniently, on a Saturday—namely, to consider the vote of £800,000 on account for the Ashantee War, the estimated cost of which was about £900,000. That was a very moderate demand. The expenses had been incurred; and if the Admiralty found that the *Dromedary*—which appeared to have been purchased for very little money—was not a desirable vessel to retain permanently, they could sell her again when she returned from the special service for which she had been bought.

MR. HUNT said, he might then be expected to say a few words; but they must of necessity be very few, because he had been cognizant of that transaction officially a few hours only. He had little to add to what had fallen from his hon. Friend opposite (Mr. Shaw-Lefevre), who had given an account of that transaction, with which he had no reason to find fault. His right hon. and gallant Friend who proposed that Amendment, did so, no doubt, merely to elicit an explanation from his hon. Friend opposite; and he hoped that, after having done that, he would be satisfied without dividing the Committee. The statement of the hon. Member for Reading (Mr. Shaw-Lefevre) must have convinced his right hon. and gallant Friend that he was under a misapprehension in thinking that those officers who were his naval advisers in the present Board of Admiralty were responsible for the purchase of the *Dromedary*, because the hon. Gentleman had stated that he, Admiral Seymour, and the then First Lord of the Admiralty were the Gentlemen personally responsible. Therefore, those who now

sat at the Board with him had nothing whatever to do with the transaction. By saying that he did not at all wish to be understood as if he were imputing blame to any one who had been connected with that transaction. He only said now that he accepted the explanation given by his hon. Friend opposite on the subject; but he would at the first opportunity call for a report of the speed the *Dromedary* made during her several runs for the Ashantee service, and also have her properly surveyed; and then they might consider whether she was a fit vessel to retain, or one they should dispose of. When the Papers were before him, he would not object to their production if his right hon. and gallant Friend moved for them, and then if he thought fit he could also call the further attention of the House to the subject.

In reply to Mr. ASHERTON,

Mr. GOSCHEN said, that the time at which the *Dromedary* might be expected to arrive at the Gold Coast had been calculated before she started. It was known when the stores she carried would be required; and, in fact, she did arrive at the time she was expected. He thought it due to his hon. Friend near him (Mr. Shaw-Lefevre) to say that he endorsed everything he had stated, and he felt bound to express his high sense of the great ability displayed by Admiral Seymour, who had superintended the Transport, Admiral Mends, the Director of Transports, and his hon. Friend who was associated with them in the conduct of the whole transport service of the expedition. There had been no criticism whatever, so far as he had been able to see, with respect to any of the ships employed or chartered with the single exception of the *Dromedary*. He trusted that should it fall to the lot of his right hon. and gallant Friend opposite to have to provide means of transport for an expedition of this character, he would be fortunate enough to find only one ship or transport with regard to which public criticism would be excited, and would be able to give as good an account with respect to it as the late Administration could give of the £900,000 they had spent.

SIR JOHN HAY said, that after the pledge his right hon. Friend the First Lord of the Admiralty had given that the *Dromedary* should be thoroughly surveyed, and the character of her hull

and engines ascertained, and the further pledge that if found unfit for the service she would not be retained in the Navy, he would not press his Amendment.

Motion, by leave, *withdrawn*.

Original Question put, and *agreed to*.

(3.) That a sum, not exceeding £47,433 15s. 10d., be granted to Her Majesty, to make good Excesses of Expenditure beyond the Grants for the following Civil Services for the year ended on the 31st day of March 1873: viz.—

Class I.

	£	s.	d.
Royal Palaces .. ..	8,337	5	2
Royal Parks .. ..	303	2	8
Surveys of United Kingdom ..	4,227	19	5
Rates on Government Property	500	5	1
Public Buildings, Ireland ..	2,435	16	0

Class II.

Treasury .. ..	33	2	2
Board of Trade .. ..	875	2	5
Civil Service Commission ..	1,539	16	3
Exchequer and Audit Departments .. ..	743	4	8
Patent Office .. ..	301	16	10
Registrars of Friendly Societies	209	17	1
Printing and Stationery ..	3,583	0	2
Works and Public Buildings, Office of .. ..	1,073	3	9
Lord Lieutenant's Household, Ireland .. ..	415	18	2
Chief Secretary's Office, Ireland	2,209	5	11

Class III.

Metropolitan Police .. ..	582	5	3
County and Borough Police, Great Britain .. ..	77	13	5
Miscellaneous Legal Charges, England .. ..	0	16	0
Courts of Law and Justice, Scotland .. ..	1,508	18	2
Register House Departments, Edinburgh .. ..	810	14	9
Prisons, Scotland .. ..	147	7	6
Law Charges and Criminal Prosecutions, Ireland .. ..	11,912	12	7
Common Law Courts, Ireland ..	527	17	5
Registry of Judgments, Ireland	54	14	7
Dublin Metropolitan Police ..	1,943	2	10

Class IV.

National Gallery .. ..	106	9	11
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Class V.

Diplomatic Services .. ..	885	7	10
Orange River Territory and St. Helena .. ..	62	7	0
Slave Trade, Commissions for Suppression of .. ..	67	14	3

Class VI.

Superannuations and Retired Allowances .. ..	1,954	17	5
Hospitals and Infirmaries, Ireland	0	17	7

Class VII.

Abyssinia, Presents to Prince Kassai .. ..	1	3	7
	£47,433	15	10

(4.) £44,150, Law Charges (Supplementary, 1873-4).

(5.) £1,880, London Bankruptcy Court (Supplementary, 1873-4).

(6.) £16,500, Police (Counties and Boroughs) (Supplementary, 1873-4).

(7.) £709, Miscellaneous Legal Charges, England (1873-4).

(8.) £22,000, Criminal Prosecutions, &c. Ireland (Supplementary, 1873-4).

(9.) £3,900, Maintenance of Prisoners, &c. Ireland (Supplementary, 1873-4).

(10.) £4,038, Endowed Schools Commission (Supplementary, 1873-4).

(11.) £4,000, in aid of Colonial Local Revenue, &c. (Supplementary, 1873-4).

(12.) £12,000, Superannuations (Supplementary, 1873-4).

(13.) £4,550, Temporary Commissions (Supplementary, 1873-4).

(14.) £1,812, Mediterranean Extension Telegraph (1873-4).

(15.) £15,038, Civil Contingencies Fund (1873-4).

(16.) £37,600, Customs Department (Supplementary, 1873-4).

(17.) £41,850, Post Office Packet Service (Supplementary, 1873-4), no part of which sum is to be applicable or applied in or towards making any payment in respect of any period subsequent to the 20th day of June 1863, to Mr. Joseph George Churchward, or to any person claiming through or under him by virtue of a certain Contract, bearing date the 26th day of April 1869, made between the Lords Commissioners of Her Majesty's Admiralty (for and on behalf of Her Majesty) of the first part, and the said Joseph George Churchward of the second part, or in or towards the satisfaction of any claim whatsoever of the said Joseph George Churchward, by virtue of that Contract, so far as relates to any period subsequent to the 20th day of June 1863.

(18.) £105,000, Navy (Supplementary, 1873-4) (Zanzibar Expedition).

MR. ALGERNON EGERTON, in moving a Supplementary Estimate of £105,000 to defray the charges incident to the Zanzibar Expedition from March 31, 1873, to March 31, 1874, said, the Vote had not been delivered to hon. Members, and had, indeed, been only laid upon the Table of the House within the last few minutes. The Vote was rendered necessary in consequence of the building and fitting out of Her Majesty's ships *London*, *Flying Fish*, and *Egeria*, and consisted of three items—Wages, £37,000; Naval Stores, coals, &c., £48,000; and Steam Machinery, £20,000. He had no

doubt the money had been properly expended.

SIR JOHN HAY inquired whether the expedition referred to was that which had been conducted by Sir Bartle Frere?

MR. GOSCHEN said, the expenditure was incurred in connection with Sir Bartle Frere's Expedition. The Admiral at Zanzibar and other naval authorities had recommended that a block ship should be placed at Zanzibar with a small factory upon it to make the necessary repairs in ships engaged in the suppression of the slave trade. The *London* was selected, and a sum of about £30,000 was expended on her for that purpose. The *Flying Fish* and the *Egeria* were also intended for the service, although they were not to be completed until next year. It was thought better, however, to get them finished and fitted out at once by means of a Supplemental Estimate, so that no delay should occur.

SIR JOHN HAY inquired whether the vessels had arrived at the station.

MR. GOSCHEN said, that when he left the Admiralty the *London* was just completed, and the First Naval Lord informed him that it was proposed she should be commissioned. She had not, however, been commissioned when he left office.

Vote agreed to.

House resumed.

Resolutions to be reported upon *Monday*; Committee to sit again upon *Monday*.

#### EAST INDIA LOAN—REPORT.

Resolution [March 20] reported;

"That it is expedient to enable the Secretary of State in Council of India to raise a sum, not exceeding £10,000,000, in the United Kingdom, for the service of the Government of India, on the credit of the revenues of India."

Resolution agreed to:—Bill ordered to be brought in by Mr. RAIKES, Mr. WILLIAM HENRY SMITH, Lord GEORGE HAMILTON, and Mr. DYKE.

Bill presented, and read the first time. [Bill 28.]

GENERAL SIR GEORGE BALFOUR hoped a clause would be introduced into the Bill similar to that contained in the Bill of last year, to the effect that an account of the sums borrowed should be laid upon the Table at the time they were borrowed, and that periodically a complete and clear Return of the movements in the debts in England and in

India should be laid on the Table, so as to show the totals at the beginning and end of the year, and the additions and payments during the year, with rates of interest and total of interest.

LORD GEORGE HAMILTON said, his attention had not been previously called to the subject, but the suggestion should receive consideration.

EAST INDIA (ANNUITY FUNDS).  
COMMITTEE.

*Considered in Committee.*

(In the Committee.)

LORD GEORGE HAMILTON, in moving a Resolution—

“That it is expedient to make provision for the transfer of the Assets and Liabilities of the Bengal and Madras Civil Service Annuity Funds, and the Annuity Branch of the Bombay Civil Fund, to the Secretary of State for India in Council,”

said, the Bill was identical with that introduced last year, but which had to be abandoned in consequence of the pressure of Public Business.

*Resolution agreed to; to be reported upon Monday.*

*House resumed.*

MIDDLESEX SESSIONS (SALARIES, &c.)  
COMMITTEE.

*Considered in Committee.*

(In the Committee.)

SIR HENRY SELWIN-IBBETSON, in moving—

“(1.) That it is expedient to provide for the payment, out of the Consolidated Fund of the United Kingdom, of one moiety of the Salary of the Assistant Judge of the Court of the Sessions of the Peace for the county of Middlesex.

“(2.) That it is expedient to provide for the payment, out of moneys to be provided by Parliament, of the remuneration to the Deputy of such Assistant Judge, and of any person appointed to preside as Chairman of a second Court.

“(3.) That it is expedient to amend the Laws relating to the payment of the Assistant Judge of the Court of the Sessions of the Peace for the County of Middlesex and his Deputy, and the Chairman of the Second Court at such Sessions,”

said, that it would be necessary to introduce a Bill upon the subject of the Resolutions, in consequence of the salary attaching to the office of Assistant Judge of the Middlesex Court ceasing on the resignation of the late Judge, Sir William Bodkin. The county had agreed to divide the salary of the future Judge

with the Treasury, and the Treasury had agreed to the sums—which were not yet sanctioned by law—to be paid to the Deputy Judge and the Chairman of the Second Court.

*Resolutions agreed to; to be reported upon Monday.*

WAYS AND MEANS.

*Considered in Committee.*

(In the Committee.)

*Resolved*, That, towards making good the Supply granted to Her Majesty for the service of the years ending on the 31st day of March 1873 and 1874, the sum of £1,422,797 14s. 6d. be granted, out of the Consolidated Fund of the United Kingdom.

*House resumed.*

*Resolution to be reported upon Monday; Committee to sit again upon Monday.*

House adjourned at Two o'clock,  
till Monday.

HOUSE OF LORDS,

*Monday, 23rd March, 1874.*

MINUTES.]—TOOK THE OATH—Several Lords. SELECT COMMITTEE — Private Bills, *appointed and nominated*; Opposed Private Bills, *appointed and nominated*; Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod, *appointed and nominated*.

PUBLIC BILL — *First Reading*—Attorneys and Solicitors \* (6).

ROLL OF THE LORDS.

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had prepared and laid it on the Table: The same was ordered to be *printed*. (No. 5.)

STATE OF THE NAVY.

OBSERVATIONS.

THE EARL OF LAUDERDALE rose to call the attention of the House to the state of the Navy. Just previous to the Dissolution of the last Parliament—the *coup d'état*, as he might call it, by which he might have lost his seat among their Lordships, and was compelled to go back to his constituents—just previous to the Dissolution, he had read in the newspapers certain speeches—which were mostly after-dinner speeches, either made

by Members of the late Government or at least under their inspiration — the purport of which was to show that the Navy of this country was never in such an effective state. In fact it was said it was fit to meet all the Navies in the world. Now, he was rather surprised at reading these statements, for he happened to be living near one of our largest naval arsenals, and when he went to such places he generally kept his weather eye open to see what was going on, and certainly from the information he received, he had come to the conclusion that our Navy was anything but in an efficient state. Then came the extraordinary statement with respect to the prosperity of our finances, and the wonderful surplus that was to be expected. No doubt, this was nothing more than an attempt to gain political capital. This was just before the dreadful balloon accident the noble Duke opposite (the Duke of Somerset) told us of a few nights ago. The statement by which it was attempted to strengthen the then Government was that they would have £5,000,000 to spare, and would abolish the income tax. When he read that, he came to the resolution to let their Lordships and the country know the real state of the case. He would admit that if the Navy was in the efficient state that it was represented to be, the surplus of £5,000,000 was a legacy which the present Prime Minister ought to be very thankful to the late Government for leaving at his disposal. But he thought, on the other hand, that he should be able to show that so far from the Navy being in the efficient state which the country had been led to believe, it had, in fact, during the last five years, been starved, and that the late Ministry had been attempting to keep it up by an expenditure £1,000,000 a-year short of what was necessary to keep it in a really efficient state. That, at least, was his impression. The cost of everything connected with the Navy had, within the last few years, risen at least 60 per cent; so that it stood to reason that if they wanted to keep the Navy in the same efficient condition as it was some 15 years since, they could not do it with the same money, but must add some 60 per cent to the cost. What, however, had been the fact? Her Majesty's late Government, instead of in-

creasing the expenditure, had reduced the Dockyard Establishments, sold some of the stores, and had even done away with some of the Dockyards themselves; and it was notorious, that the dockyard men, and especially the artisans had been largely reduced. Now, they could not reduce the Dockyards without affecting the naval establishment generally. The Dockyards and the Navy went together, and if they had inefficient Dockyards they must have inefficient ships. The Navy was our first line of defence. It therefore ought always to be kept in an efficient condition, and our ships ought to be in such a state as to enable us at all times to command the sea. Should our Navy be overpowered our commerce would go—in a short time we should be starved—for we depended to an enormous extent upon importation of food, which we paid for by an enormous commerce. Our imports last year exceeded £355,000,000 and exports £314,000,000, and if our trade were paralyzed, not we alone, but our Colonies would be ruined. Now, he held in his hand, a list of Her Majesty's Navy, and more particularly of the iron-clads; and the question which he asked was whether those iron-clads were in what was termed an efficient and sea-going condition? He must explain that this was not an official list. Every quarter a Return was made of our Navy—there was no secrecy about it, it was known to every stoker in the Navy. But when he applied to the Admiralty to be supplied with particulars of the condition of our iron-clads, he was told that it was contrary to etiquette to give such information, and that he could only have it by a Motion in Parliament for Papers. As he did not think that he ought to delay bringing the subject before their Lordships, he had compiled a list himself, at much trouble, on the best information he could obtain. Now, as well as he could make out, the state of things as regarded our sea-going iron-clads was this—there were in all 33 iron-clads that ought to be, or were supposed to be, fit for sea service. But, of these iron-clads, when he came to look into them, he found 13 required new boilers; the boilers of 7 others required immediate repair, and their engines were altogether in such a shaky condition, that these vessels could not be termed fit for immediate service. So



much for 20 out of 33 sea-going iron-clads. Of the 13 left, three were on foreign service—one on the China station, another in the Pacific, the other in the West Indies—so that you could not call upon these for immediate service at home. So that we had not more than 10 sea-going iron-clads available; and even as to these he could not say, in the absence of official information, how many had their boilers in first-rate condition, and were up to their nominal speed. It might be said that the Admiralty could not prevent boilers from wearing out and the framework of ships from rotting. That was quite true; but as they could always know the condition in which the ships were, they could always take precaution for replacing those that were wearing out. Again, if the boilers were allowed to get into bad condition, you could not long rely upon getting out of the ships the maximum speed they had when they left the contractors, and that was a very serious thing when you had to manœuvre a fleet, because you must always base your calculations upon the slowest vessel in the fleet; and if some of the vessels went at the speed of 14 knots, and others at only 10, the whole of the operations must be reduced to the latter speed. Then, again, 16 out of the 33 iron-clads were only plated with 4½-inch plates. That was considered a good plate when the sides of our ships had only to resist the piercing power of the old 68-pounder. But at the present moment the 6½-ton gun was the smallest in use, and this would pierce a 4½-inch armour plate at close quarters. If that was the case with respect to the 6½-ton gun, what was to be said with respect to the 12, the 18, the 25, and the 35-ton guns? They would pierce it like paper. It was obvious that the use of armour plating of that description must be considered obsolete. Such vessels were not fit to go into line, and fight the modern iron-clads. Further, it must be remembered that part of those iron-clads were built of wood more than 10 years ago; and, in many cases, the wood work was more or less rotten. The whole question of ships and guns had totally changed, and we were now surrounded, as it were, with something like 229 armour-plated vessels belonging to foreign Powers, built or building. Russia, Norway, Sweden, Denmark, Germany, the Nether-

lands, in Northern Europe; France, Spain, Italy, Austria, Greece, Egypt, Turkey, in Southern Europe and the Mediterranean, possessed powerful iron-clad fleets; and if we went to the other side of the water, not only the United States, but the Governments of South America—Brazil, Peru, and Chili—also, were in possession of this formidable class of vessels, of good construction and strength. He must, however, be permitted to remind their Lordships that his comments referred to sea-going iron-clads only. He admitted that we had a number of efficient vessels for coast defence, and some that were fast cruisers; but these were not fitted to take a position in line of battle. He thought he had now said enough to convince their Lordships that our fleet was not so efficient as it ought to be, and he thought also that the late Government were not justified in spending at least £1,000,000 less upon it than they ought to have done. If it was not efficient, then the House and the country ought to be acquainted with the fact, and with the necessity of placing it in a proper condition; and he was certain that if the House of Commons were thoroughly convinced that the Navy was in an inefficient state, there would be no hesitation in voting any sum necessary to make it efficient. At the same time, he believed that it could not be done for anything like the sum which was included in the Estimates of the late Government; in fact, the Dockyard Establishments had been so reduced that it would take a long time to put them in proper condition. Here was an instance. The *Achilles* was taken into Devonport Dockyard in January last for the purpose of having new boilers, and it was estimated that she would not be able to go out until July. Now, he did not suppose that any vessel should be kept a day longer in the Dockyard than could be possibly helped, and if it took so long to repair one vessel, how long would it take to repair 13? He believed the First Lord of the Admiralty under the late Government was animated by a desire to do good, and to maintain the efficiency of the Navy; but he had no power, neither had he sufficient money at his command. Now, if he was correct in his statement, and there was any ground for supposing that our Navy was in the inefficient condition he repre-

sented it to be, Her Majesty's Government, in his opinion, ought immediately to appoint a Committee to inquire into the subject.

THE EARL OF MALMESBURY (who rose after a pause) said, he had waited to hear his noble Friend, who had represented in their Lordships' House the late Board of Admiralty (the Earl of Camperdown) rise and reply to his noble and gallant Friend. As his noble Friend had not risen he presumed they must interpret his silence as an assent to his noble and gallant Friend's statements. He was not at all surprised that his noble and gallant Friend should have brought this subject under the notice of their Lordships, for there was no branch of the public service in which the public took more interest than they did in the Navy. Every one felt that our commerce would be paralyzed if we lost our naval *prestige*, and that if England ceased to be strong on the sea, she would no longer have the same influence in respect of foreign policy. Any Government, therefore, was bound to take the utmost care that our naval force was in a state of perfect efficiency. As to the questions raised by his noble and gallant Friend, he must ask him to bear in mind that the present Government had been so very short a time in office, and he was not prepared to go into details on the subject, and without complete accuracy, statements would be worse than useless. He could neither express agreement with, nor dissent from, the allegations of his noble and gallant Friend; but he could promise him that, as soon as possible after Easter, his right hon. Friend now First Lord of the Admiralty would make to the House of Commons his report on the state of the Navy.

THE EARL OF CAMPERDOWN said, he did not rise before his noble Friend the Lord Privy Seal because he did not understand it to be the duty of those who sat on the Opposition benches to reply for Departments of the Government. Now that his noble Friend had given an answer, he would deal in as direct and straightforward a manner as possible with the statements of his noble and gallant Friend (the Earl of Lauderdale.) Although he could not assent to all the statements his noble and gallant Friend had made, he might say that he concurred in the advice he had given.

*The Earl of Lauderdale*

He thought that in speaking of the iron-clad sea-going ships his noble and gallant Friend had made no allowance for the ordinary repairs which must be required and must be made whatever Government was in power. Again in the 20 iron-clads which he said were not efficient, he included one which would be efficient in a very few months. It was perfectly impossible that at all times every ship should be in a state of thorough efficiency and not undergoing any repairs. The noble and gallant Earl had pointed out that a certain number of those iron-clads were armoured with plates of only 4½-inch thickness. When the noble and gallant Earl suggested that those vessels should be put under repair, he had himself suggested a sufficient reason why they were not undergoing such repairs as would make them efficient sea-going iron-clads. The question was whether, as their plates were only 4½-inch, these vessels were not effete? Would it be worth while to spend from £70,000 to £100,000 on each of them to make them good sea-going iron-clads? That was a subject that was engaging the careful attention of the Board of Admiralty. When the noble and gallant Earl suggested that they were useless for war purposes he could not agree with him, because it might be that by the expenditure of a much smaller sum than the amounts he had just named they might be made very useful ships for coast defence. At present, the number of iron-clads requiring repair was in excess of what it ought to be in ordinary years, and that circumstance was to be accounted for in this way:—Most of them were constructed ten years ago, when the Admiralty ordered the construction of a number of iron-clads, and ten years was the period during which their boilers were, according to previous calculations, supposed to last. It was calculated that a boiler ought to last during two commissions, or for a period of from eight to ten years. He believed it was originally intended that these iron-clads should be tried on an experimental cruise and then placed in reserve; but, as it proved, they had been used more than had been originally proposed, and the consequence was that more of them were coming in for repair at the same time than if they had been less at sea and for a greater length of time lying

up in reserve. Again, the boilers of some of the ships which had been constructed within a period of ten years had not lasted the average time. That was a circumstance for which there was no accounting. Last year his right hon. Friend the late First Lord of the Admiralty went into very careful calculations as to the number of men who would be required in the Dockyards for repairing purposes during the year 1873-4. He told the House of Commons that it would be necessary to renew the boilers of six ironclads—the *Bellerophon*, the *Defence*, the *Resistance*, the *Minotaur*, the *Black Prince*, and the *Warrior*. But when those ships were brought into dock it was found that, owing to the character of the boilers and the complication of the machinery, a greater number of men were required for the repairs than that set down in the estimate. For the *Warrior* the number estimated was 262, the actual number employed 345; for the *Defence*, number estimated 114, number actually employed 300; for the *Resistance*, number estimated 119, number actually employed 216; and for the *Bellerophon*, number estimated 108; number actually employed 174. In fact, it required about as many men for four of the ships as had been estimated for six. The under estimate arose from the fact that the boilers of those vessels were boilers such as there had not been previous experience of in the Dockyards—that was in the way of renewing. Another reason why more had not been done during the year 1873-4 in the way of repairing the sea-going iron-clads was, that there was a good deal of special work in the Dockyards. The *London* was fitted out for Zanzibar, and a large number of vessels were brought in for alterations previously to sending them out with the Ashantee Expedition. This interfered considerably with the regular work of the Dockyards; but Mr. Goschen did not think it desirable to go to Parliament with a supplementary Estimate for the repairs of iron-clads; the vessels the late Admiralty had proposed to repair during the present year were the *Black Prince*, the *Minotaur*, the *Achilles*, the *Hector*, and the *Valiant*, and had he remained in office he proposed to employ 700 additional men this year. He thought it but fair to the present Government to state that such had been

Mr. Goschen's intention. As regarded the various ships of the Navy, he did not think it would be wise to state for the information of foreigners what the character of each of them individually was in the opinion of the Board of Admiralty; but with regard to the *Northumberland* and the *Agincourt*, to which reference had been made, their average speed under full boiler power was 11 knots, and they were now in commission in the Channel Squadron; and he thought that as long as a ship had sufficient speed, she ought not to be laid up until all that could possibly be got out of her had been got. His noble and gallant Friend had confined his observations to the old ships, and seemed to take no account of the new iron-clads that had been added from year to year to our Navy since the date when these older ships were built. Since 1869, we had launched 16 iron-clads, besides 2 frigates, 9 corvettes, 7 sloops, 7 gun-vessels, and 30 gun-boats of various classes. Then he said that our Navy was now weaker than it ought to be.

THE EARL OF LAUDERDALE explained that he did not mean that our Navy was absolutely weaker, but that every other nation was providing itself with iron-clads, and that consequently our Navy was relatively weaker.

THE EARL OF CAMPERDOWN: Then the noble and gallant Earl spoke of the 229 iron-clads possessed by all the other nations of the world, but he had not stated what was their condition as to efficiency. He had not stated that many of them were mere gun-boats, that others had never left the stocks, and that others were a source of constant danger to all on board. The French Navy was one of the most powerful in the world; but when speaking of the wood which was becoming rotten in some of our ships, his noble and gallant Friend seemed to forget that a number of the French ships were wooden armour-plated ships, and that the wood in these ships was quite as likely to rot as the wood in our ships. Then as to speed, he did not know whether his noble and gallant Friend referred to speed "over the measured mile," or trials, or whether he referred to the speed got out of a ship under ordinary circumstances. There were many of our ships which had done 14 knots over the measured mile. Very special attention had been made in our

Navy to the question of speed: a circular had been issued in which all captains were directed to have a special trial twice each year of not less than 12 or more than 24 hours. In these trials—which were quite another thing than the trial over the measured mile—the ships were tried with their own crews and with the coal used every day. He did not say that there were many of our vessels which did 14 knots under such circumstances; but if British vessels were not up to such a speed, he thought his noble and gallant Friend would find it difficult to point to the vessels of any Navy that were up to it. The noble and gallant Earl said our ships were slow. They were not slower than those of any other nation. The noble and gallant Earl said they were few. What other nation had half so many? He said their boilers were wearing out. What nation had steam vessels whose boilers did not wear out? It ought to be borne in mind that we were building more vessels of war than any other nation in the world. For the last few years we had built at the rate of about 20,000 tons annually, and no other nation—no other two nations—were doing as much. An opinion as to the Admiralty ought not to be taken from what newspaper correspondents wrote, or, perhaps, even from what Englishmen said on the subject. Let them consult the intelligent foreigner—particularly the naval officers of other nations—such officers as Admiral Popoff—and they would be told that the English Government was not so parsimonious, or the English Admiralty so blind, as they were sometimes led in Parliament to believe they were. There was no want of constructive or designing ability at the Admiralty. The country was fortunate, being served by able naval officers and men of high scientific and constructive attainment, who had placed the Navy of England in the first place among the navies of the world. What was required was a steady and firm administration of the Navy, which would not yield to suggestions because they were made by newspapers, which would look at the Navy as it was, and would regard it as not having arrived at a state of perfection, but as being not so imperfect as it had been represented.

THE DUKE OF SOMERSET thought the first and most important point for consideration was the condition of the

Dockyards, how many men, taking artificers of all classes, were required, and whether they had got them. He was aware that his administration—when he had the honour of being at the Admiralty—was considered expensive, but he had in the Dockyards 18,000 men. In the beginning of 1870, the men were reduced to 11,200; in 1871-2, the number rose to 12,850, and in 1872-3 it increased to 13,500. On this they might rely—that the whole question of the maintenance and repair of the ships depended upon the number of men they had in the Dockyards. With respect to the question of repairs, he was unwilling to find fault with any Government, because it was always a question whether a particular ship ought or ought not to be repaired. If they referred to the Estimates, they would find that in 1873-4 the *Minotaur* required repairs. The same fact was mentioned in the Estimates of the previous year, and also in the Estimates of the year 1871-2. In fact, the *Minotaur* had never been touched from one year to another. In the same way the *Warrior* and the *Defence* were mentioned in the Estimates of several successive years as requiring repairs. It would be most unfair now to come to the conclusion that therefore those ought to have been repaired—the question was whether they were worth repairing? Take, for instance, the *Defence*, a very inferior vessel, which was built when there was a sort of Parliamentary panic as to the condition of our Navy as compared with the Navy of France; it might be that that vessel would not be worth the necessary cost of the repairs she required. Some of our vessels were built in order to create a Navy in a short time, but they were not the class of vessels they would wish to see built, or which would have been built but for the circumstances to which he had referred. He did not, therefore, blame the Admiralty because certain vessels were not repaired. What he did wish to point out was that there had been an insufficiency of strength in the Dockyards for the work which was required; for he was strongly of opinion that they ought to go on steadily year by year adding vessels to the iron-clad fleet. He did not pretend to know thoroughly—or indeed at all—what the state of the fleet was as to the repairs or building, but it was his intention to move for a Return, giving

a nominal list of all iron-clads, and the date of their first completion for sea; a nominal list of the iron-clads which had received new boilers since their first commission, and the date of putting in such boilers, and a list of iron-clads for which new boilers were in store. The noble Earl (the Earl of Camperdown) said that boilers usually lasted eight or ten years; his belief was, that they seldom lasted more than five or six years. He would ask that the Return should include the number of tons of iron-clads built up to the present date, in two ships—namely, the *Temeraire* and *Superb*, and the progress made in the *Inflexible*. There need be no objection to these Returns on the ground that it would be giving information to foreigners. Foreigners knew perfectly well the state of our Navy, and we knew the state of theirs. When he formerly met the French Minister of Marine they compared their ships, and he knew the defects in our vessels as well as we knew the defects in the French vessels. He observed that the subject of the condition of the Navy was shortly to be discussed in "another place," and the Return which he would move for would be of advantage to Members of Parliament and give useful information to the public.

THE EARL OF MALMESBURY said, he would submit the Notice of the noble Duke to his right hon. Friend the First Lord of the Admiralty.

THE EARL OF LAUDERDALE said, it was a mistake to suppose that he recommended money to be expended on rotten and obsolete ships. He had endeavoured to point out the actual state of our sea-going iron-clads, but left the repair or disposal of them entirely in the hands of the present Government.

#### STANDARDS COMMISSION, 1870.

##### QUESTION.

LORD COLCHESTER asked, If it is the intention of Her Majesty's Government to introduce any measure for carrying out any portion of the recommendations of the Report of the Standards Commission, 1870, and said, that at the close of last Session he called the attention of the late Government to the subject. In 1870, the Commission, to which he had the honour to belong, issued its last

Report. No steps having been taken since that time by the Executive Government, which was occupied by subjects more exciting, he thought that, after an interval of three years, it was desirable to learn whether the matter had been in any way under consideration, and if the Board of Trade, to which Department the subject belonged, were prepared to adopt all or any of the suggestions of the Report as a basis of action. Last year he was informed that a Bill had been partially prepared—though it was not, as he understood, of so extensive a character as the Commissioners had recommended. The Bill was promised at an early stage of the present Session; but of course the undertakings of the late Board of Trade were not binding on their successors. He presumed that a Bill or a skeleton of a Bill on this subject had been found in the pigeon-holes of the Department, and he trusted that the Board had determined to proceed with such a measure at once. The Royal Commission had recommended, among other matters, the voluntary use of the metric system, and, as a corollary, the abolition of Troy weight, to avoid the inconvenience of three different systems of weights and measures being in use simultaneously. They further recommended that the verification of weights and measures, which was a scientific matter, and their inspection, which was a police matter, which had been united in 1835, should be separated, and the latter placed entirely in the hands of the police. Under the present system the Inspector was appointed by the Town Councils, which consisted of the very persons whose weights and measures he had to examine; and it was proposed that the power of appointing the Inspectors should be transferred to the county magistrates, except in the case of very large towns, the corporations of which were above suspicion. It should not be forgotten that the honesty of trade and the protection of the poor were matters of Imperial, and not merely of parochial, interest, and he trusted that the Government, which had a large majority in both Houses, and which was under no necessity to undertake sensational legislation, would give its attention to measures of this kind, which would be extremely beneficial to a great number of our less wealthy fellow-subjects.

THE EARL OF DUNMORE, in reply, had to inform the noble Lord that the portion of the Report of the Standards Commission which related to the verification and inspection of weights and measures was at present under the consideration of Her Majesty's Government. If the noble Lord would repeat his Question after Easter, he should be in a position to state what the views of Her Majesty's Government on the subject were.

#### MILITIA RECRUITING.

##### ADDRESS FOR RETURNS.

THE EARL OF LIMERICK rose to call attention to the increased difficulties attending the recruiting for the Militia, and to move for a Return. The noble Earl said that, from his own experience, he could state that the recruits that now entered the Regular Army did not come up to the standard which they reached some 10 or 12 years ago. It might be said that the courage and endurance which had been shown by the three regiments which had taken part in the Ashantee War did not bear out that statement; but it must be remembered that those were three of the best regiments in the Army, that they had been specially selected for the work, and that it was only by filling them up by drafts from other regiments that their numbers had been raised to something over 600 each. Had we to send out 10 or 12 battalions filled up to war strength, the battalions left at home would be mere skeletons. But if our Regular Army was small, there was the greater reason why our Reserve Forces should be kept in a thoroughly efficient state. He had been informed that in 1873 the enrolled force of the Militia was far below its standard strength, and that of those enrolled, from 14 to 20 per cent were absent during the period of training. In certain regiments, recruiting had been almost stopped in consequence of those regiments having been sent into camp year after year, instead of in due rotation with the other regiments of the Force. With regard to the bounty and allowances, the system introduced last year placed the men at disadvantage as compared with what they would have received had the old system continued in force. Again, great hardship was

inflicted upon militiamen left in hospital by their pay and allowances being stopped at the termination of the period of training. It was of great importance that the permanent Staff should be kept in a thoroughly efficient state, which could only be done by taking care that its members were adequately remunerated for their arduous labours. He believed the efficiency of the permanent Staff might be improved by holding out, as was the case until recently, to the Volunteer non-commissioned officers the prospect, if they performed their duties well, of being ultimately placed upon the permanent Staff. But what, after all, was wanted to improve the Militia was an increase of remuneration; for of late years the remuneration had actually been decreased, instead of increased. It was perfectly true that the pay had practically been increased from 7d. to 8½d. a-day; but this was not sufficient to compensate for the reduction in bounties and gratuities and the increased length of the training. The question of clothing, too, was one which ought to be carefully considered. Until recently the clothing, after a certain period of wear, became the property of the men, who, consequently, took care of it. In future it was to be retained by the public—a change which would produce little money and cause much bad feeling. It might be asked why he did not propose a remedy for the present insufficiency of the recruiting. As a colonel of Militia, he must say he knew but one perfect and sufficient remedy, and that was the ballot—a remedy upon which the Government would probably be unwilling to risk their popularity. If they did not choose to adopt that plan, the only other alternative was to go into the labour market and offer such terms as would prove attractive.

*Moved* that an humble Address be presented to Her Majesty for, Return by Regiments of Militia—(1.) Of enrolled strength on 1st May 1873; (2.) Of numbers required to complete establishments on 1st May 1873; (3.) Of numbers present at trainings during 1873; (4.) Of the number of volunteers who have enlisted during (1) February and March 1872, (2) February and March 1873, and (3) February and March 1874; also of the number who have re-enrolled during the same periods.—(*The Earl of Limerick.*)

VISCOUNT MIDLETON feared that there were few Militia regiments that

were not below their proper numbers, and in which a difficulty had not been experienced in obtaining a proper class of officers. Under the present system the class connected by hereditary ties with counties, and who were the backbone of the Militia, now refused to enter at all. Valuable material was thus running to waste, and the evil was becoming serious.

THE EARL OF PEMBROKE said, there was no objection to give the Returns asked for. The present Government had been so short a time in office that they could hardly be considered responsible for the present state of the Militia. The subject was well deserving of their Lordships' consideration; but he would suggest that the discussion had better be deferred until the Returns which were asked for had been laid on the Table.

THE MARQUESS OF LANSDOWNE thought it would be well to defer the discussion of the larger subject of Army recruiting until the Report of the Inspector General of Recruits had been laid on the Table: that, he thought, would afford solid grounds for discussing the subject which were wanting at present. As for Militia recruiting, the noble Lord was not the only person whose attention had been directed to the question. The noble Lord did not, however, seem to be aware that last year from 25,000 to 26,000 recruits had joined the ranks of the Militia, and although that number might not be entirely sufficient, yet it was evidence that recruiting had not come to such a stand-still as the noble Lord seemed to suppose. The late Government were advised that for an establishment of 140,000 men, and for a five years' term of service, about 28,000 recruits were annually necessary. There was now an establishment of 125,000 men, and the term of service had been extended from five to six years, so that the present number of recruits bore a fair proportion to the shorter period of service and the larger establishment of men. At the beginning of February this year, the strength of the Militia was 101,000 men. That was somewhat less than in 1873, but, putting 1873 aside, the noble Earl would have to look back many years before he would find such a strength of Militia. The falling off in the Militia regiments had been attributed to

the frequency of encampment, and he admitted that in some cases this might be unpopular; but all the authorities agreed that the practice of encamping the Militia more frequently conducted greatly to their efficiency. It was an error to suppose that the rate of remuneration for the Militia had been on the whole reduced. The effect of the changes which had been made was to leave the Militiaman very much where he was—and, indeed, to give him some slight advantage. Another noble Lord (Viscount Midleton) said, that recruiting had fallen off because a suitable class of officers could not be found for the Militia. At the beginning of 1871, there were 849 subaltern Militia officers, while there were 1,197 at the beginning of this year, and there was no reason to suppose that as a class they had deteriorated. With regard to the difficulty of obtaining Militia recruits, the Government, like other employers of labour, had to go into the labour market, which was at present much disturbed. At a time when agricultural labourers in some parts of the country were striking, and in others were actively exerting themselves to obtain an increase of wages, and when manufacturing labourers were agitating in the same direction, it would be strange indeed if the class from which the Militia were recruited did not participate in the general movement. The mild winter we had passed through had not been without its effect, as it had enabled agricultural operations to be carried on without any of those temporary checks which in ordinary seasons stimulated recruiting. These causes would account for the temporary falling off in recruiting for the Militia; and against this was to be set off the increased efficiency both of the men and officers, many of the latter having attended and passed the School of Instruction. Upon the whole, therefore, the state of the Militia regiments could not be regarded as unfavourable.

After a few words from the Earl of LIMERICK in reply,

*Motion agreed to.*

#### PRIVATE BILLS.

All Petitions relating to Standing Orders which shall be presented during the present Session referred to the Standing Order Committee, unless otherwise ordered.



## PRIVATE BILLS.

Standing Order Committee on, appointed: The Lords following, with the Chairman of Committees, were named of the Committee:

D. Somerset.	V. Hardinge.
Ld. Chamberlain.	V. Everaley.
M. Winchester.	V. Halifax.
M. Lansdowne.	L. Camoys.
M. Bath.	L. Saye and Sele
M. Ailesbury.	L. Colville of Culross.
E. Devon.	L. Ponsonby.
E. Airlie.	L. Sondes.
E. Carnarvon.	L. Digby.
E. Cadogan.	L. Sheffield.
E. Belmore.	L. Colchester.
E. Romney.	L. Silchester.
E. Chichester.	L. De Tabley.
E. Powis.	L. Skelmersdale.
E. Verulam.	L. Portman.
E. Morley.	L. Belper.
E. Stradbroke.	L. Ebury.
E. Amherst.	L. Egerton.
E. Sydney.	L. Hylton.
V. Hawarden.	L. Penrhyn.

## OPPOSED PRIVATE BILLS.

The Lords following; viz.,

M. Lansdowne.	L. Ponsonby.
L. Colville of Culross.	L. Skelmersdale.

were appointed, with the Chairman of Committees, a Committee to select and propose to the House the names of the five Lords to form a Select Committee for the consideration of each opposed Private Bill.

## OFFICE OF THE CLERK OF THE PARLIAMENTS AND OFFICE OF THE GENTLEMAN USHER OF THE BLACK ROD.

Select Committee on, appointed: The Lords following were named of the Committee:

Ld. Chancellor.	E. Carnarvon.
Ld. President.	E. Granville.
Ld. Privy Seal.	E. Kimberley.
D. Saint Albans.	E. Sydney.
Ld. Chamberlain.	V. Hawarden.
M. Lansdowne.	V. Everaley.
M. Salisbury.	L. Colville of Culross.
M. Bath.	L. Ponsonby.
L. Steward.	L. Redesdale.
E. Devon.	L. Colchester.
E. Tankerville.	L. Skelmersdale.
E. Stanhope.	L. Aveland.

## ATTORNEYS AND SOLICITORS BILL. [H.L.]

A Bill to amend the Law relating to Attorneys and Solicitors—Was presented by The Lord CHELMSFORD; read 1<sup>st</sup>. (No. 6.)

House adjourned at a quarter past Seven o'clock, 'till To-morrow, half past Ten o'clock.

## HOUSE OF COMMONS,

Monday, 23rd March, 1874.

MINUTES.]—NEW WRIT ISSUED—For County Louth, *v.* Philip Callan, esquire.

NEW MEMBERS SWORN—Sir Charles Bowyer Adderley, for Stafford (Northern Division); Viscount Mahon, for Suffolk (Eastern Division); Right Hon. Thomas Edward Taylor, for Dublin County; Lord Henry Lennox, for Chichester.

SUPPLY—considered in Committee—Resolutions [March 23] reported—ARMY ESTIMATES; NAVY ESTIMATES; CIVIL SERVICE ESTIMATES, REVENUE DEPARTMENTS.

WAYS AND MEANS—Considered in Committee—Consolidated Fund (£7,000,000)—Resolution [March 23] reported.

PUBLIC BILLS—Resolution in Committee—Ordered—First Reading—Intoxicating Liquors (Ireland)\* [32].

Ordered—First Reading—Consolidated Fund (£1,422,797 14s. 6d.)\*; East India Annuity Funds\* [30]; Middlesex Sessions [Salaries, &c.]\* [29]; Churchwardens\* [31]; Municipal Privileges (Ireland)\* [33]; Borough Franchise (Ireland)\* [35]; Municipal Franchise (Ireland)\* [34].

Second Reading—East India Loan\* [28].

## THE QUEEN'S SPEECH.

HER MAJESTY'S ANSWER TO THE ADDRESS.

THE COMPTROLLER OF THE HOUSEHOLD (LORD HENRY SOMERSET) reported Her Majesty's Answer to the Address, as follows:—

I receive with great satisfaction your loyal and dutiful Address.

The affectionate interest you express in the Marriage of the Duke of Edinburgh with the Grand Duchess Marie Alexandrowna of Russia is most gratifying to My feelings.

You may be assured that I shall always be ready to co-operate with you in measures which have for their object the promotion of the happiness and welfare of My people.

## IRELAND—DRAINAGE OF THE RIVER SHANNON.—QUESTION.

MR. SERJEANT SHERLOCK asked the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Government to introduce, during the present Session, any measure for the improvement of the drainage of the River Shannon?

SIR MICHAEL HICKS-BEACH, in reply, said, that the drainage of the Shannon was one of the many matters which had been under his consideration in the short time that he had had the honour

to hold his present office. He regretted that he had not had time to devote sufficient attention to the subject in order to enable him to give the hon. and learned Member any very definite answer that day; but he was quite aware of its importance and of the injury inflicted on a large part of the country, which ought to be drained by that river, through inundations. It was, however, disputed to what cause those inundations were due, and how far they arose from the works of the Government in respect to the navigation of the Shannon; therefore he was anxious to make for himself a personal investigation into the matter, and he intended to take an early opportunity of visiting the spot, and of acquiring, he hoped, more distinct and definite information than he could do in any other way. If the result should be that he felt himself able to recommend the Government to introduce a Bill on the subject he would be very glad. He might mention that the late Government had directed proper Parliamentary Notices to be given in reference to the matter; but it was right to add that exceptional circumstances must be proved before a grant could fairly be asked from the Imperial Exchequer for operations, the cost of which ought ordinarily to be defrayed from local resources.

#### BENGAL FAMINE.—QUESTION.

MR. GOURLEY asked the Under Secretary of State for India, To state to the House the localities in the Bengal Presidency, together with their extent and populations, now threatened with or suffering from famine, the means adopted both by the present and late Governments for the alleviation of the distress resulting or likely to result therefrom, and the probable number of persons who will require relief; and, if it be intended to instruct the Viceroy of India to adopt means for promoting and establishing a complete system of irrigation in the rice-growing districts now under British rule?

LORD GEORGE HAMILTON, in reply, said, he thought he had already given most of the information referred to in the Question, although he did not state the probable number of persons who would require relief. According to late statistics from the Viceroy, it was calculated that possibly about

3,000,000 of persons at some time or other would require relief. It was the intention of the Viceroy to establish a more complete system of irrigation with the view of preventing similar calamities in future; and in the abstract of Papers which would be laid on the Table to-morrow some valuable information would be found on that point. In answer to a Question put to him by the right hon. Member for Liskeard (Mr. Horsman) he might say that he had hoped that the Papers promised would have been distributed on Saturday; but, owing to the very large number of figures they contained, and the necessity of correcting the printer's errors, he was afraid they would not be in the hands of hon. Members till to-morrow morning.

#### ARMY—THE DEFENCE ACT—WORMWOOD SCRUBBS.—QUESTIONS.

SIR CHARLES W. DILKE asked the Secretary of State for War, Whether it is true that the Metropolitan Common of 170 acres, known as Wormwood Scrubs, is likely to be lost to the commoners and public through the application of the provisions of the Defence Act in the compulsory purchase by the War Department of the commoners' rights?

MR. GATHORNE HARDY, in reply, said, that, for a great number of years, Wormwood Scrubs had been used under a lease as a drill ground for troops, and in order to secure the property, it was purchased subject to the rights of the commoners. Negotiations were now going on with the commoners for the purpose of buying out their rights and giving them adequate compensation. There was no necessity at present to put in force the provisions of the Defence Act; but, if the commoners vexatiously interfered with the use of the place for drilling troops, it might be necessary to put those provisions in operation. As to the common being lost to the public, the object of the purchase was to keep it open, not to close it up.

SIR CHARLES W. DILKE asked, Whether there was any intention of building on it?

MR. GATHORNE HARDY said, that he had had no Notice of that Question, but he would say he had every reason to believe no such intention existed.

## CIVIL SERVICE WRITERS.

## QUESTION.

SIR JAMES LAWRENCE asked Mr. Chancellor of the Exchequer, If it is the intention of the Government to take into consideration the Report of the Select Committee on the Civil Service Writers dated 30th July 1873?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he had had so many things to attend to that he had not yet been able to give his attention as fully as he could wish to that subject; but the Government were paying attention not only to that question, but to other questions affecting the Civil Service, and they hoped to institute an inquiry under the directions of the Treasury which would go into that subject, and also into other cognate questions of equal importance to the Civil Service.

## POST OFFICE—TELEGRAPHIC COMMUNICATION WITH THE CHANNEL ISLANDS.—QUESTION.

MR. LOCKE asked the Postmaster General, Whether the three Cables uniting Jersey with France and Guernsey are broken; and, when he expects to get Telegraphic Communication restored?

LORD JOHN MANNERS: The two cables, the property of the Department, between Guernsey and Jersey are broken: it is expected that the repairing ship will reach Jersey next week, when immediate steps will be taken for repairing the cables. The cable between Jersey and France is the property of the Submarine Telegraph Company. I am informed by the Secretary of that Company that so soon as the repairs of the cables between England and France which are at present broken are completed, the repair of this cable will be effected.

## FOREIGN OFFICE—SALARIES.

## QUESTION.

SIR HENRY WOLFF asked the Under Secretary of State for Foreign Affairs, Whether the Heads of Departments in the Foreign Office are paid on a lower scale than gentlemen holding similar appointments in other Government Offices of equal rank; and, if so, whether Her Majesty's Government is prepared to improve the position of these public servants?

MR. BOURKE: It is impossible to make a comparison which shall be exactly accurate between the rates of salary in various offices. The number of clerks in each class varies, the promotion is consequently more rapid in some offices than in others, and the duties assigned to each grade do not in all cases exactly correspond. Taking the Secretaries of States' offices, the salaries of heads of departments in the Foreign Office are exactly the same as in the Home Office, slightly higher than in the War Office, and slightly lower than in the Colonial Office, where there are only three gentlemen holding that grade. The India Office is differently organized, and an accurate comparison is impossible. On the whole, my noble Friend (Lord Derby) does not see any reason to propose to the Treasury an increase of salary, of the heads of Departments, while bearing willing testimony to the zeal, efficiency, and ability with which the officers of the Foreign Office discharge their duties.

## TAXATION OF BEER, &amp;c. IN FOREIGN COUNTRIES.—QUESTION.

MR. DODSON asked Mr. Chancellor of the Exchequer, If he will lay upon the Table of the House, Copy of the Letter from the Treasury to Lord Granville, dated January 1874, requesting that information may be obtained as to the system of taxing beer or malt in foreign countries, and of the replies that have up to the present time been communicated to the Treasury?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that if the right hon. Gentleman would move for the Papers in question there would be no objection to their production.

## ARMY—ROYAL MILITARY COLLEGE—SANDHURST—SUB-LIEUTENANTS.

## QUESTION.

CAPTAIN DAWSON DAMER asked the Secretary of State for War, Whether the system of sending Sub-lieutenants to Sandhurst after they have done duty with their respective Regiments is to be continued?

MR. GATHORNE HARDY, in reply, said, that when he came into office he found that proceedings had been very far advanced towards effecting a change in the present system of sending young

officers to Sandhurst after they had served for some time with their regiments. He might add, without going into particulars, that that system would be discontinued in a very short time, and the mode in which the officers would be dealt with would be described in a Notice which would be published.

#### ARMY—AUXILIARY FORCES—THE YEOMANRY.—QUESTION.

MR. HANBURY asked the Secretary of State for War, Whether the Reports of the Inspectors of Auxiliary Cavalry have been received; and, if so, whether they recommend the readjustment of the pay and allowances of the permanent staff of the Yeomanry; whether the Government intend in any case to make some such readjustment; and, whether he will lay the said Reports upon the Table of the House?

MR. GATHORNE HARDY, in reply, said, that the Reports of the Inspectors of Cavalry with respect to the pay of the permanent Staff of the Yeomanry were of an entirely confidential character, and that he could not, therefore, promise to lay them on the Table. The question of detail to which they related was under consideration, and he would soon have to make a statement on the subject, which he hoped would be as satisfactory to the hon. Gentleman as if he had it in his power to give him a different answer on the present occasion.

#### POST OFFICE—REGISTRATION OF LETTERS.—QUESTION.

MR. MONK asked the Postmaster General, Whether the Post Office, with the sanction of the Treasury, is authorized by any Act of Parliament to charge differential rates of postage, not calculated by weight, upon letters according to their contents, with the view of rendering the registration of letters containing money compulsory?

LORD JOHN MANNERS, in reply, said, that the Post Office authorities had general powers, under the Act of Parliament, to register letters, and the charges were not calculated by weight, but were fixed by the authorities, and from time to time were sanctioned by the Treasury. The authorities were also empowered, in order to prevent the robbery of letters containing coin, to register such letters

when the senders neglected doing so, and to charge an extra rate of postage.

#### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

#### THE INCOME TAX. RESOLUTION.

MR. SANDFORD, in rising pursuant to Notice, to call attention to the expediency of extending the exemptions to the payment of the Income Tax, and to move, "That, in the opinion of this House, incomes not exceeding £500 a year should be exempted from the payment of Income Tax," said, he did not think it necessary to defend the principle of exemption, which was co-existent with, and part and parcel of Sir Robert Peel's scheme when he introduced the Income Tax. In that measure exemptions were first proposed upon the basis of graduated incomes. Neither did he think it necessary to point out that the tax bore most oppressively upon the smaller class of incomes. What really had to be considered was simply the practical question of how that oppression could best be removed, and there were three courses open for the accomplishment of this object. First, they might diminish the tax by favouring Schedule D; secondly, they might do away with the tax altogether; and thirdly, they might adopt the suggestion contained in his Resolution. As regarded Schedule D, he would remind the House that income arose from realized capital, from capital and skill combined, and from skill and labour combined, and this would have to be borne well in mind in dealing with the question. Some people said that if they wished in any way to deal with Schedule D they must adopt some such scheme as was proposed by Mr. Wilson, and arrange on a systematic plan the different classes of incomes. It would seem impossible, however, always to trace income to its source, and the only thing to be done was to take it where it was found. Another objection to the removal of Schedule D was, that if it were effected they must equally favour the fundholder who lived on income derived from money invested in the funds. These reasons ap-

peared so conclusive that the Committee which sat in 1861, reported that its removal was impracticable. Next there was the proposal made by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) to abolish the Income Tax altogether—a proposition from which he for one entirely dissented, but he was nevertheless prepared to admit that on financial matters the right hon. Gentleman was the greatest authority they had on the subject. It was on that account that he felt surprised at such a proposition being put forward, a proposition which, in his opinion, would derange their whole system of taxation, and leave the greater part of the Revenue derived from Customs and Excise. Nothing could be more dangerous for property than to exempt it from its fair share of taxation, especially when in this case they considered how largely the working classes paid the duties on Customs and Excise. There remained the proposal which he now brought before the House, which he believed was a fair and just one, inasmuch as it relieved a class of persons whose incomes were ill able to bear the many burdens imposed upon them. He would further add that a great deal was said in regard to the immorality of the Income Tax, and there was reason to believe that if they exempted small incomes they would do away in a great measure with this immorality, for evidence that had been given by the surveyor of taxes for the City of London showed that the immorality arose for the most part in connection with small incomes, and was rare in the case of large ones. He was also bound to observe that he did not fix the amount stated in his Resolution arbitrarily, nor did he wish to exact any premature disclosure of his financial scheme from the right hon. Gentleman the Chancellor of the Exchequer, but simply to receive an assurance that his proposition would receive careful consideration, and be, if possible, carried out to some extent. He was perfectly aware that within the last few days Downing Street had been besieged by every class and interest, and by some so wealthy and so powerful that he would have thought it was rather from a plethora of wealth than from penury they suffered. He now asked the Chancellor of the Exchequer to let the House know how far he was pre-

*Mr. Sandford*

pared to go in the direction indicated? The hon. Member concluded by moving the Resolution.

LORD ARTHUR RUSSELL, in seconding the Motion, said, that as he fully concurred in the arguments of his hon. Friend, he should not detain the House; but he could not help saying that he, too, entirely dissented from the proposition to repeal the Income Tax.

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, incomes not exceeding £500 a-year should be exempted from the payment of Income Tax,"—(*Mr. Sandford*),—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. SCOURFIELD hoped the right hon. Gentleman the Chancellor of the Exchequer would give no assurance of any kind. If there was one point on which the country had thoroughly made up its mind it was as to the extreme inexpediency of making premature declarations with regard to remissions of taxation. For his own part, he had an opinion, old-fashioned it might be, but strong, that there was really no surplus at all, for as long as there was a debt owing by the country it was only by a fiction that we spoke of a surplus. At any rate, if it was to be held there was really such a thing, let them give honour to whom honour was due by recognizing the man who had established the principle. He referred to Mr. Brummell, who, many years ago, in attempting to account for the ruin of a friend, asked—"What can you expect from a person who has frittered away his fortune in paying his debts?" He thought, however, that in the present case they need not be in any desperate hurry to fritter away their savings, neither were they justified at that period of the Session in calling on the right hon. Gentleman for any explanation whatever.

MR. LAING said, he also was anxious to take that early opportunity of expressing the strong objection he entertained, in common with many hon. Members on the Liberal side of the House, to the proposal which had been made for the total abolition of the Income Tax. It was not with the least desire to force the hand of the right

hon. Gentleman the Chancellor of the Exchequer that he rose to speak on the subject; and as it was likely the Motion would not be pressed to a division, he did not suppose that the right hon. Gentleman would answer what he was about to say on the subject, or do anything on this occasion to anticipate or compromise the forthcoming Budget. On the other hand, when a question of this magnitude had been brought forward as the principal question on which the General Election was to turn, he thought it might be rather an assistance than a hindrance to Government to have it in some measure discussed and ventilated before the final decision was taken as to the financial charges of the year. He would now proceed to put before the House his reasons for opposing the proposition to repeal the Income Tax altogether. With regard to the mode in which that proposal had been made, he wished to say as little as possible, and that for two reasons—first, because financial questions ought not to be approached with any of that heat and excitement which were inseparable from party questions; and, in the next place, because he felt that, in the absence of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), it would be wrong and ungenerous for anyone on that side of the House to taunt him with failure, or to impute motives which he was sure they would all acquit him of. It seemed to him the right hon. Gentleman had had one of those sudden and audacious inspirations which when they succeeded were called genius, and when they failed were called madness. While actuated by motives that were at once honourable and sincere, he (Mr. Laing) believed the right hon. Gentleman had not taken time to weigh sufficiently all the different considerations which to ordinary minds might have presented both constitutional and financial objections to the mode in which the repeal of the Tax was proposed as the turning question of the General Election. But he would pass from that point to consider the subject on its merits. The Income Tax had now been for more than 30 years the keystone of our financial system, and it was pure nonsense to talk of it merely as a war tax. When it was first imposed, more than 30 years ago, by Sir Robert Peel, its object was not to meet the ex-

igencies of a war, but to remedy a state of chronic deficit which had existed during years of peace. Since that time, although there had been many years of profound peace, the tax had never ceased to be levied, but had formed, on the contrary, the key-stone of our financial policy. For 10 years prior to its introduction the Revenue had shown no elasticity; there had been no remissions of taxation, deficits had gone on accumulating, an attempt to produce an equilibrium by putting a surcharge on the Revenue from Customs and Excise duties had failed, and thus the Income Tax had become necessary. The tax was thus made the means of inaugurating a totally different financial policy; and what was the result? Within 10 years of its imposition, £12,209,000 of taxation had been remitted, and Customs and Excise had increased by £2,656,000; while taking the full period of 32 years from the time when the Income Tax was first imposed by Sir Robert Peel, it would be found that the balance of taxation remitted was over £40,000,000, or more than two-thirds of the total amount of Revenue in 1842, when the Tax was first imposed. Yet, such was the wonderful buoyancy of trade, that at this moment the Revenue was £15,000,000 a-year greater than in 1842, or, in other words, the result of the Financial policy inaugurated by the Income Tax, had been to enable us to remit two-thirds of our previously existing taxes, and in doing so to increase our Revenue by one-fourth. To estimate the full importance of this we must remember how taxation stood in 1842. In that year food in almost every form was taxed. Tea, sugar, and coffee were under an almost prohibitory duty. The house you lived in was taxed, and so were timber, soap, glass, paper, and a large list of necessary articles. The consequence was, a crushing and totally disproportionate weight of taxation upon the humbler classes of the community. This great relief in taxation had not been gained by increasing the National Debt. On the contrary, although there had been an Irish famine, and the Crimean, New Zealand, and Abyssinian Wars since the time when the Income Tax was imposed by Sir Robert Peel, we had during that period diminished the annual burden incurred through the obligations of the National Debt by more

than 10 per cent, equivalent to a reduction being made in the capital amount of the Debt to at least £70,000,000. He would even venture to say that, in the whole of that period, there was no single year in which, instead of a surplus, there would not have been a deficit but for the Income Tax. Another most important advantage was derived from the Income Tax. It should be remembered that the imposition of the Tax had greatly contributed to a fair adjustment of taxation between the different classes of society. In 1842, the working classes were burdened with excessive taxes on almost all the articles that entered into their necessary daily consumption. In 1842, out of £50,000,000 which were levied by taxation from the people of England, £19,000,000 were levied upon the necessities of life; £12,000,000 by direct taxation upon trade and wealth; and £19,000,000 upon what were called luxuries and superfluities, including such articles as spirits and tobacco. In 1872, how great was the change! Instead of £50,000,000 there were levied in the whole £65,000,000, but instead of £19,000,000 being levied upon the necessities of life, there were levied only £8,000,000, and this not upon actual necessities such as food and clothing, but upon articles of general consumption, such as tea and sugar, which the increasing prosperity of the country had made almost necessities. On the other hand, the direct taxation upon trade and wealth increased from £12,000,000 to £23,000,000. He was sure that with regard to the working classes the adjustment was lenient towards them, as he thought it ought to be. That was evidenced by the fact that the aggregate income of the upper and middle classes, whose numbers were estimated at 10,500,000, was estimated at £500,000,000 a-year, and they paid about £60,000,000 in the shape of Imperial and local taxes; while the aggregate income of the working classes was estimated at £400,000,000 a-year, and they paid only £30,000,000. In connection with the latter sum he might observe that a considerable proportion of the Revenue obtained from the working classes consisted of the tax on spirits, and he thought this could hardly be considered as a burden, but rather that it would be a benefit to the working classes if the tax on spirits were increased with the view of rais-

ing the price of spirits. It was important in these times, when demagogues were going about making harangues against capitalists, that they should be able to show that the upper and middle classes of this country had voluntarily imposed taxes on their incomes in order that the necessities of life should be cheapened to the working classes. The propriety of preserving a just balance between direct and indirect taxation was so evident, that it had become an axiom of finance that if you reduced the Income Tax you must make a corresponding reduction in the Customs or Excise duties. That was acted upon during the Crimean War, when we raised the Income Tax, and at the same time raised the duties on sugar and malt. It had been acted upon frequently since then when we reduced duties, and no one could imagine that the right hon. Gentleman the Member for Greenwich would have proposed to repeal the Income Tax without giving a corresponding relief with reference to taxes on articles of general consumption. Therefore, if we repealed Income Tax to the amount of £5,000,000, we must at the same time remit taxes on articles of general consumption to the amount of £4,000,000 or £5,000,000. And if so, and we repealed £8,000,000 or £9,000,000 of taxes, with a surplus which, on the most sanguine calculation could hardly amount to £5,000,000, we were left with a deficit, how was that to be met? It could be met by only one of two ways—by economy, or by fresh taxation. As to meeting a deficit by economy, his expectations were not very sanguine after the Treasury had been so many years in charge of such dragons of financial virtue as the late Ministry; and considering the many demands already urged upon the present Government, he thought it would require much resolution and self-denial on their part to prevent an increase in the Estimates. Further, he thought it was quite clear that, be it right or wrong, there was a re-action in the public mind against excessive parsimony in many of the branches of our expenditure. If we could not meet a deficit by economy then, we should be obliged to resort to fresh taxation. But there was a great objection to the imposition of new taxes to a large amount in a commercial country like this. Let the House see what an objection there



must be to any serious alteration in the policy so successfully pursued for many years past. It was well known that a bad old tax was often better than a new one, and that fresh taxation of any description disturbed trade, and created discontent among all classes in the community. It could not be done without raising a multitude of most difficult and perplexing questions as to the incidence of taxation. Some persons would advocate socialist theories, and tell us that all the taxes should be put upon wealth; others would say that we should return to the Protectionist system. Repeal the Income Tax, and forthwith £3,000,000 or £4,000,000 of new taxes must of necessity be imposed, which, in his opinion, would be a most objectionable and impolitic proceeding. It was impolitic to part with the Income Tax for another reason—it was important, with reference to our negotiations with foreign countries, that they should know that by raising that tax of 3*d.* or 4*d.* in the pound, without disturbing trade, without a sensible strain upon ourselves, we could raise a larger sum to carry on war in case of need than other countries could by straining their credit to the utmost with a succession of onerous loans. Well, to retain this important element, we must continue that machinery by which the tax was raised during the times of peace as well as war, for if we discontinued it, foreign nations knew that we could not go to war without a great effort or reviving an unpopular tax. Nor was it only with a view to war that the maintenance of the machinery of the Income Tax was valuable. Peace had its panics, and it would occasionally happen that we had deficits when we expected surpluses. If we were again to have a year or two of deficits, then how much more convenient would it be to make good the deficit by adding 1*d.* or 2*d.* to the Income Tax, rather than by imposing new taxes. He contended that the Income Tax was the regulator of our entire financial system, which made it work smoothly and without jerks or jars, and if we did away with this machinery, the difficulties of raising the rest of the national taxation would be very much enhanced. Another advantage of retaining the Income Tax had reference to the reduction of the National Debt. He confessed he was astonished at the proposal which had

been made, looking at the quarter from which it emanated, for he remembered that not long ago earnest appeals were made to the House to raise a large sum of money by means of additional taxation for the purpose of reducing the Debt, it having then been a doctrine that such a step was rendered necessary by the approaching exhaustion of our coalfields. Although he combated that doctrine at the time, believing as he did that it was a bad policy to pursue to raise a large sum permanently by extra taxation in order to invest it at 3½ per cent in paying off debt, he did not for a moment deny that it was sound policy in years of ordinary prosperity to effect a moderate reduction of the Debt. The history of the last 12 years sufficiently showed that unexpected contingencies would arise which would make it necessary for us to spend large sums of money, and, therefore, if we made no provision in good years for keeping down the National Debt, it might be much increased at the end of a considerable period. In his judgment, therefore, we ought to proceed in the course we had adopted of late years. Our main sources of income ought to be kept intact, estimates of revenue and expenditure ought to be framed cautiously on the safe side, and we ought not to discount too largely the progressive increase in the Revenue. If, however, we parted with the Income Tax, we should not, in his belief, have a surplus for 30 years to come; but we should, on the contrary, enter upon a period of deficits. Again, it might be said that the Income Tax had done its work, and that it was the only unpopular impost which remained unrepealed. That he totally denied. He maintained that there were many other taxes still remaining to which great objection could be taken, and that the necessity for the revision of a great deal of taxation still existed, and would soon be forced upon the House. First of all, there were the taxes on locomotion which nobody alleged to be defensible except on the ground that revenue was needed. Then many of the licence duties were opposed to sound principles of finance, because they pressed heavily on the middle-man. The same remark was applicable to the malt tax. Without wishing to interfere in the pretty quarrel which was springing up between the agriculturists and

the brewers, he desired to say that nothing but practical difficulties could justify the levying the revenue on the first stage of the manufacture of the article instead of its last. Next, there was the still more important question of local taxation. Until the Government had considered the question, and submitted it to the House in a practical form, it was impossible for anyone to say what amount ought in justice and in accordance with sound policy to be transferred from local to Imperial Revenue. That some amount ought to be so transferred might be inferred from the proposal made by the Government some time ago to give up the house tax. This question of local taxation ought to be considered fairly on its own merits. Its consideration ought not to be hampered by the exigencies of a preconceived Budget, but the House ought to do what appeared to be just and necessary. If, however, the Income Tax were repealed, how would it be possible to do what was just and equitable in regard to local taxation? If there were no surplus how could local taxation obtain relief? It would be sound policy to remove some of the causes which rendered the Income Tax exceptionally unpopular, rather than to seek its total repeal. Of course all taxes were more or less unpopular, but as regarded the Income Tax, fully two-thirds of it—namely, all the Schedules except part of Schedule D—were as little objectionable and as little objected to as any mode of raising the Revenue that he was acquainted with. Even taking Schedule D, to which he admitted there were objections, he thought it would be found that there were numerous classes of Her Majesty's subjects among whom this tax was by no means especially unpopular. He was not at all sure, for instance, that the agricultural class did not take more interest in the malt tax and in local taxation than in the question of Income Tax. In like manner, railway shareholders probably thought the passenger duty pressed upon them more hardly than the Income Tax. In his opinion, the real objections to the Income Tax resolved themselves into two. The first was that it pressed disproportionately on small fixed incomes, and undoubtedly it was a fact that, in consequence of the increased cost of living, widows, clergymen, and others, who enjoyed fixed incomes of £200 or

thereabouts, were unable to live as well as they could have done 32 years ago when the Income Tax was first imposed. Another argument which might be adduced was that in the same period the increase of wages had brought the incomes of many skilled artisans and others, close up to the level at which they should become chargeable with Income Tax. These, in his opinion, were good reasons why the existing exemption should be extended. He did not go as far as his hon. Friend the Member for Maldon (Mr. Sandford) who submitted the present Motion; but his opinion was that incomes of £200, and under, should not be liable to the tax, and that the first £100 should be deducted from incomes ranging between £200 and £400. Such an alteration would do away with many of the complaints of undue pressure on small incomes, and the remission might be easily effected with the surplus at present existing. However, he only threw out this suggestion for consideration, as he did not expect the right hon. Gentleman the Chancellor of the Exchequer to state what he was going to do. He only wished to impress upon the right hon. Gentleman the importance of retaining the tax, and of endeavouring to mitigate some of the objections which were raised against it. The only other objection of any force against the Income Tax was that vexatious annoyance and temptation to fraud arose from the necessity of making the returns, and no serious attempt had yet been made to diminish that source of unpopularity. Without, however, attempting any such enterprise as the re-adjustment of the Schedules, he thought a great deal might be done by improving the machinery for assessment. For instance, the Manchester Institute of Actuaries recently made a suggestion, which was well worthy of consideration, to the effect that a composition for an extended period of years, such as three or five years, ought to be allowed and encouraged. A referee of ability, sworn to secrecy, might be appointed to go down to a town, persons engaged in trade could go before him, and he might determine what amount of income should be taxed for a certain number of years under Schedule D. If the suggestion thus made were adopted, there would be no need for annual inquiry and assessment, and the annoyance

now felt by men in business would be to a great extent obviated. He did not expect the right hon. Gentleman to say now whether he agreed with him as to the policy of retaining the Income Tax; but, knowing in how sound a financial school the right hon. Gentleman had been trained, that would probably be his conclusion. If, however, any doubt lingered in his mind on the subject, would it not be wiser for the Government to hold their hands, at all events, until the question of local taxation was settled, because until then they really did not know what surplus would remain to be dealt with? A Government new to office should have an opportunity of thoroughly revising our fiscal system, and of considering the expediency of replacing the tax on malt by a tax on beer, of abolishing the taxes on locomotion, and other financial questions. If the surplus of the year was not exhausted by their financial proposals, the result would simply be the payment of a certain amount of Debt, and, though he was opposed to the permanent levy of taxes with a view to the extinction of Debt, no one could object to such an operation during a single year under the exceptional circumstances now existing. At all events, he hoped that the right hon. Gentleman would not commit the irretrievable mistake of parting with the key-stone of our financial system—a system inaugurated by our greatest English financier, Sir Robert Peel, and extended by his worthy successor, the late Prime Minister; a system which was the envy and admiration of all other European countries; a system which had reconciled classes, reduced Debt, and led to an unexampled growth of wealth and prosperity; a system which was, on the whole, the most equitable, the most elastic, and the most successful mode of raising a large Revenue which the world had ever seen.

MR. HERMON hoped that the Motion would not be pressed, though he thought that when the Chancellor of the Exchequer had to bring forward his Statement, it would be found that he would regard the Income Tax as one of the most important subjects he had to consider, and he trusted that the right hon. Gentleman would be able to discover some system by which the incidence of the tax would be made more equal and its inquisitorial character modified. He did not think the House of Commons should

adopt the opinion attributed to the surveyors of taxes in the City of London, that there was more concealment in the case of small than of large incomes; and the severe pressure of the tax upon the class of small traders and clerks should not be forgotten. As the time was so near when the Chancellor of the Exchequer would make his Financial Statement, he considered the best course the House could now adopt would be to leave the matter in his hands.

MR. C. E. LEWIS protested against the specific alteration now proposed in the tax, for, first, the system of exemptions was nothing but confiscation under another name, and, secondly, that system did not remove or alleviate any one of the objections made to the Income Tax—did not make it less inquisitorial, distinguish between precarious and fixed incomes, or diminish the temptation to fraud. At the same time he regretted to find the hon. Member for the Orkneys (Mr. Laing) so absorbed by his desire to repeal the taxes on locomotion that he was unable to appreciate the strong objections to this tax. A great objection to the Income Tax was, that it pressed unequally in its operation, and affected the small trader and persons with uncertain incomes in an oppressive manner. The artist, for instance, with a good income, might have his hand palsied to-morrow; yet he was taxed just at the same rate as the man deriving the same income from land. The proposal to alter the Income Tax, as it affected persons with small incomes, did not do away altogether with the objections to it. One of the inherent objections to the Income Tax was the manner of the assessment, which it was considered led to the promotion of fraud; and in some places surveyors in their assiduity, had surcharged persons to a considerable extent. That was a grave objection to the manner of assessing the tax. This was a question which should be dealt with broadly, and those who supposed that the great middle class of the country were not determined either to remove the objectionable features of the Income Tax, or to have the tax abolished altogether, greatly misunderstood their feeling on the subject. He could not help thinking that the Government would make a mistake if they followed at all the very bad advice given to them by some of the party now sitting

on the Opposition Benches; and until it was shown to be possible to place the tax on a fair basis, he said remove it altogether, and hoped the advice which had been given by the hon. Member for Orkney would not be followed. The tax had been imposed, in the first instance, as a war tax; and it was afterwards reimposed by Sir Robert Peel in the reconstruction of the taxation of the country, and as a means of meeting a great financial void. He would for the present content himself with saying that though strongly in favour of the ultimate repeal of the Income Tax when it could be got rid of, he was of opinion that if the Resolution of the hon. Gentleman were to be adopted it would only postpone the remission of the tax and aggravate the existing evils.

MR. HORSMAN said, that as it was generally understood that the hon. Member for Maldon (Mr. Sandford), did not intend to divide the House on the Motion, he would suggest that, as a fitting opportunity for discussing the subject of the Income Tax would shortly be presented in due course, the hon. Gentleman should be allowed to withdraw his Motion and the House to proceed to the other Business on the Paper.

LORD ROBERT MONTAGU regarded the Motion merely as an attempt to draw from the Chancellor of the Exchequer what were likely to be the main features of his Budget; but he trusted the right hon. Gentleman would not be drawn into making any such revelation. The Income Tax was very generally regarded as a war tax;—but this he thought was wrong, though every Chancellor of the Exchequer had to a certain extent looked upon it in that light. When any war arose, or in the case of any emergency, a very large sum could be raised by means of this tax, with very little trouble, and this put immense power in the hands of the Minister. But the evil of the tax was this—the persons who did not pay the tax were very much more numerous than those who did. Now, whatever might be professed to the contrary, a war was popular with the working classes. This might be seen from the fact that wherever the power of a State had fallen into the hands of the people, the nation was found to be speedily involved in a war. The history of every country

proved it. Take, for instance, the case of France in 1792, and of the United States only a few years ago. If, therefore, the balance of power was in the hands of the working classes of this country, as it now was, it was dangerous to treat the Income Tax as a war tax, because by so doing you would enable these classes who did not pay the Income Tax to declare for war, while they left the less numerous class who did, to pay for it. Now, the adoption of the present Motion would very much increase this evil, because it would increase the number of those who desired the luxury of war without paying for it, while it would diminish the number of those who would have to bear the burden. It was, perhaps, too late to avoid the evil altogether—we had got our "Old Man of the Sea," and we should not find it very easy to throw him off.

THE CHANCELLOR OF THE EXCHEQUER said, the good sense of the House had so entirely anticipated the answer he had to give that he need scarcely say anything. He would merely remind hon. Members of Talleyrand's observation when some Friend said to him, "I hope I shall not be indiscreet in asking you a question;" to which he replied, "There can be no indiscretion in a question, but there may be in the answer." That would be his answer, if he were to say anything on the subject; and therefore he would merely add that he thanked all those hon. Gentlemen who had taken part in the discussion, for the contributions they had made to the Budget.

Amendment, by leave, *withdrawn*.

SIR SEYMOUR FITZGERALD rose to make an appeal to the noble Lord the Under Secretary for India not to bring on the second reading of the EAST INDIA LOAN BILL that evening. He looked at the Indian Famine with great anxiety, but, like other hon. Gentlemen, he had carefully avoided expressing any opinion on the subject hitherto, because the information which had been received was not only imperfect, but contradictory. If the Bill were once read a second time, there would be no fitting opportunity of offering such remarks on the question as he should desire to do. It might be said that a specific Motion might be made with regard to it, but

that was a course which hon. Members, especially on that side, would not like to see adopted, particularly by one who, like himself, thought too great praise could not be given to the Viceroy for the energy and ability which, from the beginning, had characterized his measures. It could not be the desire of any hon. Member of the House to withdraw the Bill from fair, candid, and even searching criticism, and, therefore, he hoped the noble Lord would not proceed with the second reading until the Papers which he had promised on Saturday were laid on the Table.

GENERAL SIR GEORGE BALFOUR said, on the contrary, he trusted the noble Lord would proceed at once with the Bill, without delay, as it was of the greatest consequence that what it was proposed should be done for India should be expedited as much as possible, and that that great dependency should see there was no delay on the part of England in aiding, by funds borrowed in England, to feed the people of the famine-struck districts. The Papers relating to the measures of Government to feed the people would follow as a matter of course.

LORD GEORGE HAMILTON said, he could not accede to the request of his hon. Friend the Member for Horsham (Sir Seymour Fitzgerald). He had not promised that the Papers would be laid on the Table that day, but had stated that in all probability they would be in the hands of hon. Members. He was sorry they had been delayed; but they were in the hands of the printers, and he was informed that they would be in the hands of hon. Gentlemen tomorrow. It was of the greatest importance that the Bill should be proceeded with, and any remarks which hon. Members had to offer might be made when the House went into Committee on the subject.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

#### SUPPLY—NAVY, ARMY, CIVIL SERVICE AND REVENUE DEPARTMENTS.

##### VOTES ON ACCOUNT.

##### SUPPLY—considered in Committee.

(In the Committee.)

(1.) £2,000,000, on account, Wages, &c. to Seamen and Marines.

MR. HUNT rose to make an appeal to hon. Gentlemen to allow a Vote of Credit for the year ending the 31st of March, 1875, to be taken without requiring him to make the usual statement with regard to the Navy Estimates. His right hon. Friend the First Lord of the Treasury had explained the other day in detail the great difficulty the Government would experience in getting the financial business through during the financial year, and it was only by the indulgence of the House it could possibly be done. It was not in his power to make his statement to the House now, nor would it be before Easter. Therefore, he ventured to deprecate on this occasion anything which would lead to a discussion on the Navy Estimates. He was aware that many hon. Friends on his own side were anxious to have a debate now, but he would earnestly beg of them to pass a Vote of Credit for £2,000,000 without discussion.

MR. GOSCHEN said, the Committee must feel that the request made by the right hon. Gentleman the First Lord of the Admiralty was a reasonable one, and, under the circumstances, he trusted they would not be disposed to enter upon any debate now on the Navy Estimates. It would be quite impossible for the right hon. Gentleman at the head of the Admiralty to make a satisfactory statement on this occasion. He trusted, therefore, that hon. Members on that (the Opposition) side of the House would fall in with the right hon. Gentleman's views.

*Vote agreed to.*

(2.) £2,000,000, on account, Pay and Allowances Land Forces at Home and Abroad.

MR. GATHORNE HARDY, in moving a similar Vote of Credit on account of the Army Estimates, said, that he hoped to make the usual statement on Monday, though it was impossible to say at present, whether he should have an opportunity of doing so.

*Vote agreed to.*

(3.) That a sum, not exceeding £1,886,600, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services, to the 31st day of March 1875: viz.

##### Class I.

Great Britain:—		£
Royal Palaces	.. ..	6,000
Royal Parks	.. ..	18,000

Public Buildings .. ..	25,000
Furniture of Public Offices .. ..	2,400
Houses of Parliament .. ..	5,000
New Home and Colonial Offices .. ..	7,000
Sheriff Court Houses, Scotland .. ..	2,400
National Gallery Enlargement .. ..	5,000
Industrial Museum, Edinburgh .. ..	1,000
Burlington House .. ..	2,000
Post Office and Inland Revenue Build- ings .. ..	23,000
British Museum Buildings .. ..	1,000
County Courts .. ..	8,000
Science and Art Department .. ..	1,600
Surveys of the United Kingdom .. ..	22,000
Harbours of Refuge .. ..	1,600
Portland Harbour .. ..	—
Metropolitan Fire Brigade .. ..	1,700
Rates on Government Property .. ..	6,000
Wellington Monument .. ..	100
Natural History Museum .. ..	15,000
Metropolitan Police Courts .. ..	4,000
New Courts of Justice, &c. .. ..	13,000
Ramsgate Harbour .. ..	100
New Palace at Westminster—Acquisi- tion of Lands, &c. .. ..	1,700

## Ireland:—

Public Buildings .. ..	29,000
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## Abroad:—

Lighthouses Abroad .. ..	3,000
Embassy Houses and Consular Buildings .. ..	14,000

## Class II.

## England:—

House of Lords, Offices .. ..	7,500
House of Commons, Offices .. ..	8,000
Treasury and Subordinate Departments .. ..	9,500
Home Office and Subordinate Depart- ments .. ..	14,000
Foreign Office .. ..	10,000
Colonial Office .. ..	5,400
Privy Council Office and Subordinate Departments .. ..	5,000
Board of Trade and Subordinate De- partments .. ..	18,000
Privy Seal Office .. ..	500
Charity Commission .. ..	3,300
Civil Service Commission .. ..	3,300
Copyhold, Inclosure, and Tithe Com- mission .. ..	3,000
Inclosure and Drainage Acts Expenses .. ..	1,500
Exchequer and Audit Department .. ..	6,500
Friendly Societies, Registrars of .. ..	400
Local Government Board .. ..	60,000
Lunacy Commission .. ..	2,500
Mint .. ..	8,500
National Debt Office .. ..	3,000
Patent Office .. ..	3,500
Paymaster General's Office .. ..	3,500
Public Record Office .. ..	3,500
Public Works Loan Commission .. ..	800
Register Office, General .. ..	7,000
Stationery Office and Printing .. ..	73,000
Woods, Forests, &c., Office of .. ..	4,000
Works and Public Buildings, Office of .. ..	7,000
Secret Service .. ..	4,000

## Scotland:—

Exchequer and other Offices .. ..	1,000
Fishery Board .. ..	2,000
Lunacy Commission .. ..	1,000
Register Office, General .. ..	1,000
Board of Supervision .. ..	3,000

## Ireland:—

Lord Lieutenant's Household .. ..	1,000
Chief Secretary's Office .. ..	4,000
Boundary Survey .. ..	100
Charitable Donations and Requests Office .. ..	400
Local Government Board .. ..	18,000
Public Record Office .. ..	1,000
Public Works Office .. ..	4,500
Register Office, General .. ..	4,000

## Class III.

## England:—

Law Charges .. ..	8,500
Criminal Prosecutions .. ..	31,000
Court of Chancery .. ..	28,500
Common Law Courts .. ..	12,000
Court of Bankruptcy .. ..	7,500
County Courts .. ..	71,000
Probate Court .. ..	15,000
Admiralty Court Registry .. ..	2,000
Land Registry Office .. ..	1,000
Police Courts, London and Sheerness .. ..	2,500
Metropolitan Police .. ..	39,000
County and Borough Police, Great Britain .. ..	62,000
Convict Establishments in England and the Colonies .. ..	77,000
County Prisons, Great Britain .. ..	17,000
Reformatories and Industrial Schools, Great Britain .. ..	55,000
Broadmoor Criminal Lunatic Asylum .. ..	5,000
Miscellaneous Legal Charges .. ..	3,000

## Scotland:—

Criminal Proceedings .. ..	11,500
Courts of Law and Justice .. ..	10,000
Register House Departments .. ..	5,000
Prisons .. ..	4,000

## Ireland:—

Law Charges and Criminal Prosecutions .. ..	13,000
Court of Chancery .. ..	7,000
Common Law Courts .. ..	4,500
Court of Bankruptcy and Insolvency .. ..	1,400
Landed Estates Court .. ..	2,000
Probate Court .. ..	2,000
Admiralty Court Registry .. ..	400
Registry of Deeds .. ..	2,500
Registry of Judgments .. ..	500
Dublin Metropolitan Police .. ..	22,000
Constabulary .. ..	177,000
Government Prisons .. ..	7,900
County Prisons and Reformatories .. ..	15,000
Dundrum Criminal Lunatic Asylum .. ..	1,000
Four Courts Marshalsea Prison .. ..	300
Miscellaneous Legal Charges .. ..	11,000

## Class IV.

## Great Britain:—

Public Education .. ..	226,000
Science and Art Department .. ..	46,000
British Museum .. ..	17,000
National Gallery .. ..	1,000
National Portrait Gallery .. ..	300
Learned Societies .. ..	2,000
University of London .. ..	1,500
Endowed Schools Commission .. ..	1,500

## Scotland:—

Public Education .. ..	35,000
Board of Education .. ..	1,000
Universities, &c. in Scotland .. ..	3,000
National Gallery, Scotland .. ..	300

## Ireland :—

Public Education .. ..	91,000
Commissioners of Education (Endowed Schools) .. ..	100
National Gallery .. ..	400
Royal Irish Academy .. ..	300
Queen's University .. ..	600
Queen's Colleges .. ..	700

## Class V.

Diplomatic Services .. ..	42,000
Consular Services .. ..	41,000
Colonies, Grants in Aid .. ..	7,000
Orange River Territory and St. Helena	600
Slave Trade, Commissions for Suppressions of .. ..	—
Tonnage Bounties, &c. .. ..	2,000
Emigration .. ..	1,000
Treasury Chest .. ..	3,000

## Class VI.

Superannuation and Retired Allowances	71,000
Merchant Seamen's Fund Pensions, &c.	6,500
Relief of Distressed British Seamen ..	5,000
Hospitals and Infirmaries, Ireland ..	3,000
Miscellaneous Charitable Allowances, &c. Great Britain .. ..	1,000
Miscellaneous Charitable Allowances, &c. Ireland .. ..	1,000

## Class VII.

Temporary Commissions .. ..	3,500
Deep Sea Exploring Expedition .. ..	500
Miscellaneous Expenses .. ..	1,000

£1,886,600

(4.) That a sum, not exceeding £1,256,000, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Revenue Departments to the 31st day of March 1876: viz.—

	£
Customs .. ..	170,000
Inland Revenue .. ..	280,000
Post Office .. ..	480,000
Post Office Packet Service .. ..	166,000
Post Office Telegraphs .. ..	160,000

£1,256,000

House resumed.

Resolutions to be reported *To-morrow* ; Committee to sit again upon *Wednesday*.

## EAST INDIA LOAN BILL.—[BILL 28.]

(Mr. Raikes, Mr. William Henry Smith, Lord George Hamilton, Mr. Dyke.)

## SECOND READING.

Order for Second Reading read.

LORD GEORGE HAMILTON, in moving "That the Bill be now read the second time," said, that since Friday, when he mentioned that the Secretary of State in Council was prepared to reduce the monthly drafts on the Indian Government by £400,000, it had been determined further to relieve the Indian

Government by an additional reduction of £200,000. Accordingly, after the first draft in the month of April the total amount by which the drafts would be reduced would be £600,000. He thought it right to place these facts before the House, so that hon. Gentlemen might be able to make upon them whatever remarks they might wish, and would conclude by moving the second reading of the Bill.

Motion agreed to.

Bill read a second time, and committed for *Thursday*.

## WAYS AND MEANS.

CONSOLIDATED FUND (£1,422,797 14s. 6d.)  
BILL.

Resolution [March 21] reported, and agreed to :—Bill ordered to be brought in by Mr. RAIKES, Mr. CHANCELLOR of the EXCHEQUER, and Mr. WILLIAM HENRY SMITH.

Bill presented, and read the first time.

## WAYS AND MEANS.

CONSOLIDATED FUND (£7,000,000).

Considered in Committee.

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1876, the sum of £7,000,000 be granted, out of the Consolidated Fund of the United Kingdom.

Resolution to be reported *To-morrow* ; Committee to sit again upon *Wednesday*.

## EAST INDIA [ANNUITY FUNDS] BILL.

Resolution [March 21] reported, and agreed to :—Bill ordered to be brought in by Mr. RAIKES, Lord GEORGE HAMILTON, and Mr. WILLIAM HENRY SMITH.

Bill presented, and read the first time. [Bill 30.]

## MIDDLESEX SESSIONS [SALARIES, &amp;c.] BILL.

Resolution [March 21] reported, and agreed to :—Bill ordered to be brought in by Mr. RAIKES, Mr. Secretary CROSS, and Sir HENRY SELWYN-IBBETSON.

Bill presented, and read the first time. [Bill 29.]

## CHURCHWARDENS BILL.

On Motion of Mr. MONK, Bill to provide facilities for the admission of Churchwardens into Office, ordered to be brought in by Mr. MONK and Mr. GOLDNEY.

Bill presented, and read the first time. [Bill 31.]

## INTOXICATING LIQUORS (IRELAND) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in



a Bill to relieve Traders in Intoxicating Liquors in Ireland from certain restrictions in carrying on their trade.

Resolution reported:—Bill ordered to be brought in by Mr. SULLIVAN and Mr. DRASE.

Bill presented, and read the first time. [Bill 32.]

#### MUNICIPAL PRIVILEGES (IRELAND) BILL.

On Motion of Mr. BUTT, Bill to extend to Municipal Corporations in Ireland certain privileges now exercised and enjoyed by Municipal Corporations in England, ordered to be brought in by Mr. BUTT, Sir JOHN GRAY, Mr. BRYAN, and Mr. P. J. SMYTH.

Bill presented, and read the first time. [Bill 33.]

#### BOROUGH FRANCHISE (IRELAND) BILL.

On Motion of Mr. BRYAN, Bill to assimilate the Borough Franchise in Ireland to that in England, ordered to be brought in by Mr. BRYAN, Mr. BUTT, and Mr. BLENNERHASSETT.

Bill presented, and read the first time. [Bill 35.]

#### MUNICIPAL FRANCHISE (IRELAND) BILL.

On Motion of Mr. BUTT, Bill to assimilate the law regulating the Municipal Franchise in Ireland to that regulating it in England, ordered to be brought in by Mr. BUTT, Sir JOHN GRAY, Mr. BRYAN, and Mr. P. J. SMYTH.

Bill presented, and read the first time. [Bill 34.]

House adjourned at a quarter before Seven o'clock.

## HOUSE OF LORDS,

*Tuesday, 24th March, 1874.*

MINUTES.]—TOOK THE OATH—Several Lords.

#### PRIVATE BILLS.

Ordered, That section 4. of Standing Order, No. 178, be suspended in respect of Bills originating in this House and included in either of the two classes of Private Bills in Standing Order, No. 178; and that all such Bills be read a second time on Friday the 27th instant; and that all Petitions praying to be heard upon the merits against any such Bill be presented by being deposited in the Private Bill Office before Three o'clock in the afternoon on or before Saturday the 4th day of April next.

#### SOUTH SEA ISLANDS.

##### ADDRESS FOR CORRESPONDENCE.

THE EARL OF BELMORE rose to move that an humble Address be presented to Her Majesty for Copies or Extracts of any further Correspondence respecting outrages committed upon Natives of the South Sea Islands, and to ask a

Question. His present Motion might be regarded as a renewal of a Motion which he made at the end of last Session, but which the noble Earl the late Secretary for the Colonies requested him not to press, as the Papers were at that time incomplete. Nine months had since elapsed, and probably a good deal of further information had been received in the meantime. He was not aware whether any serious cases of outrage, such as those to which his Motion referred had occurred within the past year; but he observed that, in answer to a deputation of the Aborigines Protection Society, which waited upon him a few days since, his noble Friend the Secretary for the Colonies (the Earl of Carnarvon) stated that grave cases had been brought to his notice, and he (the Earl of Belmore) now desired to know whether the cases referred to were new ones. With reference to the Fiji Islands, he did not wish to go into individual cases; but he wished to know the exact tenor of the instructions given to Commodore Goodenough. He was under the impression that the subject of inquiry was to be whether the Government of those Islands should be recognized, and generally into the question of the outrages on the Natives. The late Ministry had directed the Governors of our Australian Colonies to deal with the Government of the Fiji Islands as a *de facto* Government, but formal recognition of that Government was withheld. He thought it was wise of Her Majesty's late Government to give the Government of the Fiji Islands a fair trial; but he believed it had entirely broken down, and that the White residents were greatly dissatisfied with the so-called Government. Such a Government, under the headship of an uneducated Native Chief, was not likely to repress outrages and sustain order. He had seen it stated lately that the object of the Commission to the Islands was to inquire as to the propriety of annexation. If that were so, it would indicate a change of policy on the part of Her Majesty's late Government. The question of annexation was raised 15 years ago under different circumstances, and it was again considered by Her Majesty's Government in 1870. Lord Canterbury had in that year forwarded, after an Inter-colonial Conference at Melbourne, a Memorandum from his Ministers to the

Secretary of State, which was replied to by a definite refusal to annex the Islands. He (the Earl of Belmore) had had a copy of this reply communicated to him, and had forwarded a Minute to the noble Earl opposite (the Earl of Kimberley), from his own Ministers expressing regret at the decision which had been arrived at. He (the Earl of Belmore) read an extract from the *Melbourne Argus* which stated that very large quantities of sugar were raised within the Islands. The question was one of considerable importance; but it was surrounded with difficulties, and, in the absence of the information he now asked for, he gave no opinion as to whether there should be an annexation. If Her Majesty's Government resolved on doing anything in that way, what they ought to do, in the first instance, was to establish a Government for those Islands in the nature of the Government of a Crown Colony; in which case the Colonial Office would retain a control over it. The noble Earl concluded by asking what was the exact nature of the Commission and instructions which were given to Commodore Goodenough, R.N., and Mr. Consul Layard, as Royal or Special Commissioners to the Fiji Group of Islands; and by moving an Address for Correspondence.

*Moved* that an humble Address be presented to Her Majesty for, Copies or Extracts of any further correspondence respecting outrages committed upon natives of the South Sea Islands, in continuation of the papers upon this subject laid before the House last Session.—(*The Earl of Belmore.*)

THE EARL OF CARNARVON said, that the Motion of his noble Friend divided itself into two distinct and different branches. As to that part of it which referred to the production of Papers having reference to the alleged outrages, there was no objection to their production; but, of course, he would like to have an opportunity of selecting such as were important, as there were others which might not be worth having printed and circulated. What he had said to the deputation which he had received some days ago, and what he repeated now was, that beyond doubt there was evidence—evidence one regretted to see—that a most detestable traffic was carried on in those Seas. The case of the *Daphne*, if it were reported

correctly, was, perhaps, the very worst case of the kind that he had ever read of. Unfortunately, there were such great difficulties in the way of putting a stop to this traffic that it was almost impossible, under present circumstances, to hope for its complete suppression. The temptations were very great, the facilities for carrying on the traffic were considerable, the gains from it were heavy, and there was the consideration that for years to come the Islands could not be under any settled government. All those circumstances were so many temptations to the persons who made use of those unfortunate islanders; and, in addition, there was a superstition which made the inhabitants unwilling to labour on their own Islands, and so made them the easier prey for those who carried them into actual slavery. Still he had to qualify what he had said upon the subject by observing that he was in possession of evidence which showed that, on the whole, the Act passed in 1872 had been productive of good. The cases of conviction under that Act had been few; but there was reason to believe that it had deterred persons from carrying on and engaging in the traffic. There were two prohibitory enactments in that Act. The first prohibited the conveyance of those islanders in any British ship not specially licensed to take them on board. Two ships had been seized, and proceedings taken against the captains for a violation of that provision; but, it appearing that they had acted in ignorance, they were dismissed on payment of costs. The second portion of the enactment was more important—namely, a provision against the decoying of the islanders, which was made punishable as a felony. This portion of the Act had been applied in the Australian Colonies, where the tribunals showed every disposition to carry it into effect. He believed that there had been no failure of justice where proceedings had been instituted under it before those tribunals. The case of the *Carl*, of which their Lordships had before heard, had been heard under another Act. As regarded the second part of his noble Friend's Motion, he was not in a condition to comply with it. The Papers included in it had reference to a Commission appointed to inquire into various matters relating to the Islands. The Commissioners were

either engaged in their work or completing it at the present time, and it appeared to him undesirable that confidential despatches should be produced before the Report of the Commissioners. When the Report arrived there would be no objection to produce the other Papers. The question of annexation was an important one; but this was not the occasion to discuss it.

*Motion agreed to.*

#### RAILWAY ACCIDENTS.

##### MOTION FOR PAPERS.

EARL DE LA WARR having presented a Petition from the Chamber of Commerce and Manufactures of the City of Edinburgh on the subject of Railway Accidents, moved for certain Correspondence in relation thereto. The noble Earl said he had been somewhat disappointed to find that the question of railway management formed no part of the programme of the Government for the present Session as disclosed in the Speech from the Throne. It was proposed to deal with the question of the transfer of land, with Friendly Societies, and with the law relating to Masters and Servants. He did not question the importance of these matters, but he doubted whether they ought to occupy so important a place as to exclude from the immediate consideration of Parliament, the subject of railway management. It was no exaggeration to say that feelings of alarm and apprehension had been raised in the public mind by the reports of railway accidents which had appeared in the newspapers, and those feelings had been much intensified by the Circular addressed by the Board of Trade. It was clear that the safety of life and limb was not sufficiently provided for. In the last six months 120 passengers had been killed, and 900 injured—and these figures, large as they were, applied to passengers only, and did not include railway servants. How many of these had suffered was not known, for the Returns were admittedly imperfect; but the Report of the Board of Trade for 1872 gave the number of railway servants killed at 632, and the injured at 1,395. He concurred in a statement contained in a Petition he had presented from Edinburgh, that the chief causes of railway accidents were to be found in long and uncertain hours

of labour, facilities for obtaining liquor, want of punctuality, and undue speed. Again, there was another cause which lay at the root of the evil—namely, an enormous increase of traffic without anything like a corresponding increase of the means of conveying it. The railway Returns for the last 12 months showed an increase of heavy traffic at the rate of 10 per cent for each week. In the year 1855, the total receipts from traffic were £24,000,000, but in 1872 they had risen to upwards of £60,000,000. The consequence was that the trains had to be run at the shortest possible intervals. At a recent inquiry it was stated that trains were started at intervals of only three or four minutes. Their Lordships were aware that even at the present time, under the Act compelling the companies to make Returns of the deaths and injuries sustained by their servants through accidents, those Returns were very imperfect. He must express a hope that the Government would give this most important question a very early consideration, otherwise we might be certain of the sacrifice of 500 more lives during the next six months. He did not wish to in any way embarrass the Government, but if they did not take some step to remedy the evil, he would feel it his duty to come forward with distinct propositions on the subject.

*Moved,* That there be laid before the House Copy of Board of Trade Circular to Railway Companies, dated February 1874, and the correspondence which followed thereon: Also for, Copy of correspondence between the Board of Trade and Lancashire and Yorkshire Railway Company with reference to legal proceedings in consequence of default of return of accidents.—(*The Earl De La Warr.*)

THE EARL OF DUNMORE, in reply, said, he would refer the noble Earl who had moved for the Papers, to Returns already on their Lordships' Table which would show that the Board of Trade had urged on railway companies the duty of furnishing correct Returns of the accidents which occurred to their servants, and the Board had done all in their power to obtain these Returns. The inquiry had been instituted by the action of the Board of Trade itself, and was not owing to any pressure from without. Subject to certain verbal alterations which he would point out to his noble Friend, there would be no objection to the production of the Papers.

*The Earl of Carnarvon*

VISCOUNT MIDDLETON hoped some step would be taken by the Board of Trade to deal more vigorously with the subject of railway management, for at present it had very little power in respect of railways. Some time ago an accident occurred in the South of Ireland, on the Cork and Bandon line, and the Inspector of the Board of Trade who inquired into it, made as strong a Report against the Company as could well have been drawn up. He reported that the permanent way was in an unsatisfactory condition, and that the engines were old and worn out. When he read that Report he inquired of the Board of Trade what measures it intended to adopt; but to his astonishment he learnt that all the Board could do was to lay before Parliament the Report of its Inspectors. This Report of the Inspector showed the necessity for immediate interference, yet all that the Board could do was to lay it before the House. A change was therefore necessary, and he hoped the subject would receive immediate attention.

LORD CARLINGFORD said, he did not think their Lordships could conveniently enter into the large questions of the cause and the prevention of railway accidents on a Motion the terms of which would not lead anyone to suppose that it was intended to raise those questions. They were of the last importance, and when the Motion of which the noble Earl (Earl De La Warr) had given Notice came on, after Easter, noble Lords would, no doubt, be prepared to discuss them. He only rose to say a word or two in reference to the Returns made to the Board of Trade. The noble Earl who represented that Department in that House (the Earl of Dunmore) was quite right when he stated to their Lordships that the Board of Trade had made the greatest efforts to obtain the Returns from the railway companies; but there existed a great confusion in the public mind with respect to these Returns. There were two distinct classes of railway accidents—namely, accidents to the public as distinguished from accidents to the servants of railway companies. It could not be denied that up to this, the Returns with respect to the latter class of accidents had been incomplete, and therefore fallacious; but there was no reason whatever for supposing that we were not, and that we had not been for

years past, in possession of complete Returns as to accidents to the travelling public. There was not, until a very recent period, any Returns of accidents to railway servants—not, indeed, until the year before last, when he got an Act passed which made it compulsory on railway companies to furnish to the Board of Trade Returns of the deaths and injuries to their servants caused by railway accidents. He believed there was much exaggeration as to the imperfect character of the Returns furnished under that Act; but, at the same time, it was perfectly true that they did not contain the whole of the melancholy catalogue of those accidents. He believed, however, that the shortcoming of the companies in this respect was owing to the newness of the duty imposed upon them by the Act. The Board of Trade had done all they could to obtain complete Returns, but it was hardly to be expected that the thing could be done at once. In September last the Board of Trade instituted proceedings against the Lancashire and Yorkshire Company, which would have been continued, only that the Secretary came to the Board and apologized for the imperfect nature of the Returns, which, he said, was attributable solely to the newness of the Act, and the ignorance of the company's servants. He promised that every effort would be made in future to have the Returns full and complete. The Board of Trade had reason to think that the Returns made by the Lancashire and Yorkshire Company before those proceedings were more deficient than those issued by any other company. He mentioned this circumstance because some ingenious gentleman, writing in the Press, comparing those Returns with the figures which, from his own inquiries, was led to believe ought to have been given by the company, and then went on to assume that there was the same difference between the number of accidents furnished by every other company and the number which it ought to have returned. He believed, however, there was no ground for that conclusion. He would venture to suggest to the Board of Trade that there was another class of Return which the companies ought to be required to furnish with punctuality. After the Sittings of the Committee presided over by the noble Duke behind him (the Duke of Somerset) he introduced at the

end of last Session a short Bill, making it compulsory on railway companies to report the progress it made in the adoption of the block and interlocking systems. That Bill was passed, and he thought he might venture to say that when passing it the intention of the Legislature was to closely watch the progress of the companies, and ultimately to compel them to adopt those systems, if they did not of themselves gradually introduce them. It had been shown that they could not be introduced on all lines in a week or a month, and therefore time was given to the companies; but he thought that if fair and rapid progress was not made in this respect, they ought to have recourse to compulsion. Regarding these Returns as of great importance, he hoped the Board of Trade would take care that they should be obtained and laid before the House as quickly as possible.

THE DUKE OF RICHMOND expressed his entire concurrence in what had fallen from the noble Lord opposite, that it would be inconvenient at present to enter upon this large subject of railway accidents, and the difficulties which had arisen, and would probably arise regarding the safe carrying of the public. The question was a larger one than the noble Earl who had brought it forward had led them to expect by his Notice on the Paper. He could endorse all that had been said in reference to the Board of Trade. Under the late and previous Governments the Board of Trade had done everything in its power to obtain accurate information on the subject of railway accidents, and he did not hesitate to promise that the present Board would take care that the important Returns required by the Act introduced by the noble Lord should be duly sent in by railway companies.

*Motion amended, and agreed to.*

*Address for—*

"Copy of Board of Trade Circular to Railway Companies, dated November 1873, and the correspondence which followed thereon:—

"Copy of correspondence between the Board of Trade and Lancashire and Yorkshire Railway Company with reference to legal proceedings in consequence of default of Return of Accidents: And also,

"Copy of correspondence between the Board of Trade and the Chamber of Commerce of the City of Edinburgh on the subject of certain Returns relative to Railway Accidents."

Ordered to be laid before the House.

*Lord Carlingsford*

## RAILWAYS.

### MOTION FOR A RETURN.

THE EARL OF ABERDEEN, in moving for Returns on the 1st of May of the number of persons employed on each of the railways of the United Kingdom (classified according to the nature of the work performed by them), said, those Returns, in addition to the Returns which the companies were already bound to furnish, would show the proportion between the number of railway servants injured and the total number employed. It might be said, by way of objection, that the publication of such Returns and of the comparisons of the two classes of figures, would be an interference between employers and employed. But who were the employers of railway servants? Their work was of such a nature that they were brought into direct communication with the public, and might be regarded in one sense as public servants. At all events, if they made any mistake leading to serious results, they would soon discover that they had two masters, for the railway companies would dismiss them, and the public would punish them for their neglect. In alluding to this aspect of the matter, he thought it right to say that he would be the last to come forward as a reckless declaimer against railway Directors. He believed that the more one became acquainted with the working and management of railways, the more he would be able to appreciate the difficulties which railway Directors had to contend with in conducting the business of a railway. But the same acquaintance with the practical working of a railway which would reveal the difficulties which the Directors had to encounter would also reveal the difficulties which railway servants had to meet and overcome in the discharge of their duty—difficulties, too, which arose from no fault of their own. If the Returns for which he moved were granted, he indulged a hope that the information which they would afford might ultimately be of benefit to railway servants, and that they might also be useful in a wider sense as a contribution—although a humble one—towards the adjustment of certain large questions to which public attention was now being directed, among others the question of compensation to injured railway *employés*. In the discussion, too, of the still larger question

as to the future management of railways, there could be no doubt that the number of persons employed upon them would be an important, as it had often been a disputed, point.

THE DUKE OF RICHMOND suggested that the Return should have reference to the 31st of December last.

THE EARL OF ABERDEEN assented.

Motion amended, and agreed to.

Returns of the number of persons employed on the 31st of December last on each of the Railways of the United Kingdom (classified according to the nature of the work performed by them).

Ordered to be laid before the House.

House adjourned at half-past Six o'clock  
to Thursday next, half-past  
Ten o'clock.

## HOUSE OF COMMONS,

*Tuesday, 24th March, 1874.*

MINUTES.]—SELECT COMMITTEE—Jury System (Ireland), appointed; Public Petitions, appointed and nominated.

SUPPLY—considered in Committee—Resolutions [March 23] reported.

WAYS AND MEANS—considered in Committee—Resolution [March 23] reported.

RESOLUTION IN COMMITTEE—Public Works Loan Commissioners [Loans to School Boards].

PUBLIC BILLS.—Ordered—First Reading—Game Laws Abolition\* [36]; Game Birds (Ireland)\* [37]; Monastic and Conventual Institutions\* [38]; Hypothec (Scotland)\* [39]; Wild Animals (Scotland)\* [40]; Criminal Law Amendment Act (1871) Repeal\* [41]; Registration of Firms\* [42]; Sale of Liquors on Sunday (Ireland)\* [43]; Homicide Law Amendment [44]; Conjugal Rights (Scotland) Act Amendment\* [45]; Consolidated Fund (£7,000,000)\*.  
Second Reading—(£1,422,797 14s. 6d.) Consolidated Fund\*.

## ARMY—THE AUXILIARY FORCES— ADJUTANTS.—QUESTION.

MR. WAIT asked the Secretary of State for War, Whether the temporary rank of Captain in the Army, to which Adjutants of Auxiliary Forces have recently been gazetted, inverts the order of seniority hitherto in force; and, whether such temporary rank gives to such Adjutants while serving regimentally the command of the Captains of their respective Regiments or Battalions?

MR. GATHORNE HARDY, in reply, said, that the temporary rank did not in-

vert the order of seniority. It had been conferred upon some officers who had either never been in the Army or had left it, and it did not give rank over the captains of regiments or battalions, inasmuch as the officers upon whom it was conferred were regimentally at the bottom of the list.

## NATAL—THE LATE KAFFIR OUT- BREAK.—QUESTION.

MR. EDWARD JENKINS asked the Under Secretary of State for the Colonies, Whether the attention of Her Majesty's Government has been called to the measures adopted in Natal in connection with the suppression of the late Kaffir outbreak; and, whether there is any objection to lay upon the Table any Correspondence with the Lieutenant Governor and others on the subject?

MR. J. LOWTHER, in reply, said, the attention of the Government had been called to the subject, and the Correspondence commenced by their predecessors was now being carried on by them. It would be of no use producing the Correspondence until it was complete; but he hoped shortly to be able to lay upon the Table extracts from it.

## HYPOTHEC, &c. (SCOTLAND)—LEGISLA- TION FOR SCOTLAND.—QUESTION.

MR. J. BARCLAY asked the Lord Advocate, Whether he intends, on behalf of the Government, to introduce a measure abolishing agricultural hypothec in Scotland; and, if he is prepared to inform the House what are the "other measures relating to her (Scotland's) interests," referred to in Her Majesty's Speech?

THE LORD ADVOCATE: The House having only met for business on Thursday, there has not yet been time for maturely considering what measures relating to the interests of Scotland can with advantage be introduced at present. I may say, however, that I think the interests of Scotland shall not be neglected; but hon. Gentlemen must allow Her Majesty's Government to choose the proper time, having reference to the other Business of the House, for the introduction of such measures.

MR. J. BARCLAY: The Lord Advocate has scarcely answered the first Question I have put to him.

**THE LORD ADVOCATE:** My answer was intended to cover the first Question, and I can only say that an hon. Member (Mr. Vans Agnew) has already given Notice of his intention to move for leave to bring in a Bill on the subject of hypothec.

#### SCOTLAND—CENSUS RETURNS.

##### QUESTION.

**MR. J. BARCLAY** asked the Lord Advocate, The cause of the delay in publishing the Census Returns for Scotland, and when they will be issued?

**THE LORD ADVOCATE:** Two volumes have been presented of these Census Returns, the last on the 31st July, 1873. The delay in the publishing of the third and remaining volume has been the subject of correspondence between the Home Secretary and the authorities in Scotland, and we are informed that the delay has been due to three causes. In the first place, the preparation of certain special Returns from the Education Board under the provisions of the Education Act; then a large amount of matter being given in the form of remarks on the result of the Census, in addition to that contained in the Report, applicable to the Census of 1861; and in the third place, the Superintendent of the Census Office has been ill. Every exertion is now being made to complete the work, and it is hoped that this will be accomplished in the month of May.

#### ARMY—NEW BARRACKS AT GALWAY.

##### QUESTION.

**MR. MORRIS** asked the Secretary of State for War, When it is likely the building of the new Barracks at Galway will be commenced?

**MR. GATHORNE HARDY,** in reply, said, he believed the building would be commenced by the 1st of June. The plans would be ready for the contractors by the 1st of May.

#### LABOURERS' DWELLINGS (IRELAND).

##### QUESTION.

**MR. P. J. SMYTH** asked the Chief Secretary for Ireland, If it was his intention to introduce this Session a Bill for the Improvement of Labourers' Dwellings in Ireland; and, if so, about what period of the Session such Bill might be looked for?

**SIR MICHAEL HICKS-BEACH,** in reply, said, he found the question had been fully considered by his predecessors in office, and on more than one occasion an undertaking had been entered into by them to initiate legislation upon it; but he must fairly say he had not had time to consider it himself. He would not be prepared, at any rate for some few weeks, to say what course he would take on the subject; but if within a reasonable time he was not able to bring in a Bill, he should not trouble the House with a measure which would be introduced at too late a period of the Session to afford an opportunity of its passing into law.

#### COINAGE OF HALF-CROWNS AND FLORINS.—QUESTION.

**MR. HEYGATE** asked Mr. Chancellor of the Exchequer, If he will state to the House the general result of the replies given by bankers and others to the inquiries addressed to them by the late Chancellor of the Exchequer as to the advisability of continuing (or otherwise) the coinage of half-crowns and florins?

**THE CHANCELLOR OF THE EXCHEQUER:** The late Government directed questions to be put to a number of bankers with reference to the circulation of florins and half-crowns, suggesting these three courses:—Either that florins should continue to be coined and half-crowns withdrawn, or that half-crowns should continue to be coined and florins withdrawn, or that both should continue to be coined. Answers were received from 302 bankers to the following effect:—Of the 302 bankers, 46 reported their opinion in favour of the circulation of florins only; 63 in favour of the circulation of half-crowns only; and 193 in favour of the circulation of both concurrently. In consequence of that the late Chancellor of the Exchequer, just before leaving office, put an announcement in the newspapers that the issue of half-crowns would be resumed, and some, as he was informed, would be ready for issue in about a month.

#### BANK HOLIDAYS ACT—MONEY ORDER OFFICE DEPARTMENT.—QUESTION.

**MR. WHEELHOUSE** asked Mr. Chancellor of the Exchequer, Whether, in the event of the Bank Holidays Act being extended, he would consider the



possibility of granting a like extension to those employed in the Money Order Office Department of London and the country, as well as those of the several bonding warehouses in the Provinces?

THE CHANCELLOR OF THE EXCHEQUER was understood to promise that this should be done.

#### RAILWAY ACCIDENTS—REPORTS OF INSPECTORS.—QUESTION.

MR. HORSMAN wished to put a Question to the President of the Board of Trade as to the Reports of the Inspectors of that Department on Railway Accidents. The House had those Reports before it down to the month of August last. Would all the subsequent Reports be laid on the Table, in order that they might be available for the discussion on railway accidents of which Notice had been given?

SIR CHARLES ADDERLEY, in reply, said, that three kinds of Reports were laid on the Table of the House every year by the Board of Trade relating to railway accidents. The Reports of the Inspectors of every accident as it occurred were laid on the Table, of which there were a large number last Session; there was presented also a *résumé* of all those Reports at the end of every Session, the last up to the close of 1872. The Report for 1873 was in the printers' hands, and would be out in a few days; and a Report of all railway accounts was presented annually, showing the amount of compensation paid to passengers injured; that of last year would be presented about the beginning of June.

#### NATIONAL MUSEUMS—REPORT OF THE SCIENCE COMMISSION.—QUESTION.

MR. WALPOLE asked the hon. Member for Sheffield, Whether he would for the present withdraw his Notice of Motion with reference to the Report of the Science Commission on National Museums, and bring it forward at a later period of the Session, it being a subject upon which it might be thought a longer Notice should be given.

MR. MUNDELLA, in reply, said, that when he gave the Notice it was to the effect that the Motion should be considered on an early day, and he was surprised to see it on the Notice Paper for that evening. It would be exceed-

ingly inconvenient to the Trustees of the British Museum to take it after so short a Notice, and therefore he proposed to defer its consideration to the middle of May.

#### PARLIAMENT—BUSINESS OF THE HOUSE—(OPPOSED BUSINESS).

##### RESOLUTION.

MR. HEYGATE, in rising to move—

"That, except for a Money Bill, no Order of the Day or Notice of Motion be taken after half-past twelve of the clock at night, with respect to which Order or Notice of Motion a Notice of Opposition or Amendment shall have been printed on the Notice Paper, or if such Notice of Motion shall only have been given the next previous day of sitting, and objection shall be taken when such Notice is called,"

expressed his regret at the absence from the present House of Commons of Colonel Wilson Patten, Sir George Grey, Mr. Bouverie, and Mr. Collins, who were so conversant with the business of that Chamber and had been accustomed to take so active a part in its proceedings. There was, he added, nothing of a party character in his Motion, as it merely sought to provide that important measures of legislation should not be passed at inordinately late hours. A Resolution to secure that object had been unanimously agreed to by the Committee which sat to consider the question in 1872, and were the present only another Session of the late Parliament he should hardly deem it necessary to trouble the House at any length in support of his proposal. But, as there were now in the House of Commons over 200 new Members, it might be desirable that he should state the reasons which had led to the adoption of the Rule with regard to the hour after which Opposed Business could not be taken, which prevailed last Session. Previous to 1870, great and increasing difficulty had arisen owing to the uncertainty as to what business would come on for discussion on a particular night, and the number of Orders—sometimes 30 or 40—which stood on the Notice Paper without the slightest probability that they would be proceeded with. The late nights to which the House had become accustomed were attended with a variety of inconveniences. Among these was the practice of hon. Members obstructing the business by moving alternate Motions for the adjournment of the House and for the

adjournment of the debate into an advanced hour in the morning, giving rise to exhibitions which had been commented on out-of-doors in terms by no means favourable to the character of the House. At those late hours the business was very badly got through, and Bills had to be introduced in the subsequent Sessions to remedy the defects of such perfunctory legislation. Among other disadvantages attending those late hours was the fact that all the speeches delivered then were entirely smothered. There was no need to complain of the conduct of the gentlemen in the Gallery in the matter, as the morning newspapers were published at an early hour, and it was impossible that speeches delivered at advanced hours could be reported at any length, so that Members in speaking at these late hours were simply wasting their eloquence. With regard to the practice of moving alternately the adjournment of the House and the adjournment of the debate, Members who had sat in the last Parliament would recollect one sitting at which there were 11 divisions after midnight, and another when there were no fewer than 14 divisions on Motions of that sort, and that on one occasion the House sat until 4 o'clock in the morning, while on another occasion it sat until a quarter past 5 o'clock in the morning. The result was that a Select Committee was appointed to consider the question, which came to an unanimous decision in favour of a Resolution which he had taken on the foundation of that which he was now about to submit to the House. The late Speaker of the House of Commons (Viscount Ossington) and the Chief Clerk of the House (Sir Erskine May) were examined before that Committee, and the former gave it as his opinion that nine hours' consecutive work—from 4, the hour at which the House met, till 1 o'clock next morning—were as much as any deliberative Assembly ought to be called upon to perform. It should also be borne in mind that a large proportion of hon. Members sat on Committees upstairs from 11 till 4, nor must the fact be forgotten that morning sittings were held for a considerable part of the Session. The late Speaker added that the protracted sittings of the House till late in the morning resulted in turning what ought to be a most honourable service into an almost intolerable slavery,

*Mr. Heygate*

and that, in his opinion, the practice was highly reprehensible; nor did he think such self-sacrifice on the part of the House received the approbation of the country. He would appeal to the House to say whether there had not been a vast improvement wrought by the Resolution which he now proposed to have renewed. An exception had been made in regard to Money Bills, which it might be necessary, in the interests of the public service, to have immediately attended to; and it had also been determined that opposition should, for the purposes of the Resolution, not be counted as such when it sprang up at the moment and without Notice, as in that case anyone might have it in his power to stop the progress of a Bill. In this form, which had the approval of the late Prime Minister, the Resolution was unanimously approved by the House in 1872. Last year, when the question was again debated, there was an almost unanimous approval of the new arrangement; the late Prime Minister gave important testimony in favour of it, saying that "on the whole, and in spite of certain disadvantages, it had worked to the comfort and relief of a really overtasked House;" and by 191 votes against 37 the Resolution was again passed. He had been urged by hon. Friends on both sides of the House not to be contented with the Resolution as it stood, but to propose the adoption of it in the form recommended by the Select Committee, which would have carried the restriction very much further; but it seemed to him he was adopting a prudent course which deserved to meet with support when he confined himself to asking hon. Members merely to re-affirm the Resolution, which had received the approval of the late Prime Minister, and which had tended greatly to diminish both scandals and discomfort attending the proceedings of the House. The hon. Gentleman concluded by moving his Resolution.

MR. GOLDSMID, in seconding the Motion, repeated what he had ventured to assert on former occasions, that there was no Legislative Assembly in the world which kept such disreputable hours as the House of Commons. If they looked at the Assemblies of France, Prussia, Austria, and Italy, they found them finishing their legislative work at some hour between 6 and 10, except when there was a prolonged debate on

some important Ministerial question. Such early hours conduced to the sustained and zealous attendance of Members, and consequently he believed to the general benefit of the country. On this principle he regarded the Rule now proposed as one which tended to the advantage of the country as well as to the comfort of hon. Members; because he was convinced that the measures which had in years past been carried through the House at very late hours had been in nearly all cases slovenly, and in many very unsatisfactory, the result having been, as pointed out by the hon. Member, that many Amendment Bills had been rendered necessary. If hon. Members would think for a moment, they would see that the time which would be devoted to the Business of the House under the Rule now submitted would still be amply sufficient to meet the largest demands for legislative employment. An hon. Member would have to come to the House at 12, and sit on a Committee till 4, keeping his attention concentrated upon the business before him; and then from half-past 4 till half-past 12 he would have eight more hours for the consideration of important public business. If any hon. Member found this demand upon his energies insufficient, he must be a very uncommon man. The majority of hon. Members did not belong to such a class, and, as a general rule, the power of attending to business had disappeared by so late an hour as half-past 12. He had constantly been told, out of the House, that legislation carried late at night was bad, and that it was the duty of Members to their constituents to oppose as strongly as they could such a way of doing business. This Resolution was an instalment of reform in the right direction, and was framed in a reasonable spirit, which ought to commend it to all hon. Members. There was another important consideration to be urged in favour of the proposition. It often happened that hon. Members, when they took part in the debates, desired to speak to their constituents as well as to the House; but no speech that he could remember on a fresh subject of importance commenced after midnight, was ever reported, the gentlemen in the reporters' Gallery, who did their work so well, being precluded from doing so by the

obvious reason, among others, that it would be impossible to publish at 6 o'clock speeches delivered at 2 or 3 o'clock. The considerations he had urged were, he thought, sufficient to recommend the Motion, and he trusted that the House would not be misled by the dulcet tones of the hon. and learned Member who was expected to oppose it.

Motion made, and Question proposed,

"That, except for a Money Bill, no Order of the Day or Notice of Motion be taken after half-past Twelve of the clock at night, with respect to which Order or Notice of Motion a Notice of Opposition or Amendment shall have been printed on the Notice Paper, or if such Notice of Motion shall only have been given the next previous day of sitting, and objection shall be taken when such Notice is called."—*(Mr. Heygate.)*

MR. OSBORNE MORGAN, in rising to move as an Amendment—

"That, in the opinion of this House, the time allotted by the rules of the House to the consideration of the Bills introduced by private Members is already insufficient for the due discussion of the same, and ought not to be further restricted,"

complained that he was an old victim of the system now sought to be re-established. In fact, he had always understood that one of the objects for which it was originally introduced was to shelve a Bill (the Burials Bill) which in happier days he had the honour of submitting to the House. Fortunately or unfortunately, the House would not be called upon to consider that Bill this Session, and he might, therefore, be regarded as approaching the present subject with disinterestedness, he hoped even with patriotic feelings. The short ground on which he opposed the Motion was that it seemed to him to aim a death-blow at the rights of private Members to legislate at all, and he could only regard the fact that the Motion had been carried in the last two Sessions by the votes of private Members as either a high tribute to the eloquence of its supporters or as a proof of the extreme complacency of those whose rights were so prejudicially affected. On the first working night of the present Session Notice was given by private Members of the introduction of no less than 25 Bills. Many of them were of great importance, ranging over the whole area of human interest, from married women to ancient monuments. Sixteen more, he thought, had been added to the number,

and the cry was "Still they come." He was sure that before the Easter Vacation they would have as many as between 50 and 60 private Members' Bills. Now, for these Bills how much time had they? Tuesdays and Fridays were in a sense private Members' nights; but they were devoted to the airing of grievances and to matters not directly connected with legislation. As a matter of fact, the Orders of the Day had rarely been reached on these nights by half-past 12. Whether this would continue to be the case now that the hon. Member for Whitehaven (Mr. Cavendish Bentinck) had crossed the gangway and taken a seat in the seclusion and silence of the Treasury Bench he did not know, but there was reason to fear that it would. The only other day left to private Members was Wednesday, when it was imperative that discussions should be brought to a close before 6 o'clock; and he calculated that, after deducting holidays—sporting and ecclesiastical—there would be just 10 Wednesdays left during the remainder of the Session for the second reading, Committee stage, and third reading of private Members' Bills. He found that until the 15th of July every Wednesday had already been disposed of; therefore it would be impossible for any private Member to carry a Bill which was opposed by a single other Member. Such a state of things never existed in that House until within the last two years, or, he believed, in any other House except the Polish Diet before the disintegration of that unfortunate kingdom. In 1872, he brought in a Bill to afford further facilities for the conveyance of Land for Sites for Places of Worship, &c. That Bill met with, he was going to say, universal approbation; but the hon. Gentleman the Member for North Warwickshire (Mr. Newdegate) thought he discovered in it a scheme to undermine the Protestant religion, and that he (Mr. Osborne Morgan) was playing unconsciously into the hands of the Jesuits. The hon. Member refused to allow him to go on with his Bill unless he consented to the insertion of a clause—namely,

"And such trust deeds, together with the names of the trustees for the time being, shall be enrolled in the High Court of Chancery."

Knowing that deeds could not be enrolled without expense, and that even if they were enrolled their enrolment would

prove no protection to the Protestant interest, he opposed the clause; but the hon. Member said—"Take the Bill with my clause or not at all; I have the power of preventing the passing of the Bill, which I will exercise." [Mr. Newdegate dissented.] The hon. Member intimated dissent; but when he (Mr. Osborne Morgan) came down to the House, he found that the hon. Member had given Notice that on the Motion for going into Committee on the Bill he would move the postponement of the Committee for six months. The Bill could not have been passed if he had not allowed the clause of the hon. Member to be inserted, and the Bill passed with that clause in it. When the Bill reached the other house one noble and learned Lord said he never saw anything more ridiculous than that clause in his life; and another said he could not conceive how any man of common sense, much less a lawyer, could have inserted such a clause. In the end the Bill was thrown out with expressions of contumely. The next year he brought in the Bill without the clause of the hon. Member. When the Bill reached Committee he shook in his shoes at the thought of the hon. Member; but fortunately he had been so much engaged on his Monastic and Conventual Institutions Bill that he fell asleep, and while he was in that condition he (Mr. Osborne Morgan) carried his Bill through Committee. And yet, notwithstanding, the Queen was still on the Throne, the Jesuits were where they were, and he had the satisfaction of knowing that he was the only man in England who had ever caught the hon. Member for North Warwickshire asleep. Mr. Hibbert, who, he hoped, would soon return to the House, had told him more than once that he could not have carried his Clerical Disabilities Bill—that most useful measure, which had been found to work so well—if this Rule had been in operation. Rather than allow matters to remain as they were by reason of the existence of the Rule he would prefer having a veto put on private Members legislating at all, and thus throw upon the Executive in every case the initiative of legislation. He agreed that many Acts of Parliament were drawn in a slovenly manner; but he agreed that a great number were spoiled in their passage through the House by the process of "squaring" opposition, which this

*Mr. Osborne Morgan*

Rule encouraged. The Bill which the hon. and learned Member for Salford (Mr. Charley) carried for amending the law of bastardy was spoilt through his consenting to the insertion of a clause which repealed the old law six months before the new came into operation, and the result of which was that for six months the unfortunate victims for whose protection the Bill was introduced were left without any remedy. The arguments in favour of the Rule turned upon the supposition that under this regulation the House did not sit so late as in former years; but that was an entire mistake. During 1870 and 1871, when this Rule was not in operation in the House, the hours of sitting after midnight were respectively 130 and 143. During 1872, when the Rule came into operation, the House sat 142 hours after midnight, or only one hour less than in the previous year, and 12 hours more than in 1870. These statistics were sufficient to deprive of all force the argument of his hon. Friend. The Rule tended to make the Sittings later by inducing Members to talk against time, and it acted as a direct premium on loquacity. That had happened twenty times within his own knowledge. For all these reasons he would give a determined opposition to the Motion of his hon. Friend. The labours of the Session were not likely to be very arduous, and he did not see why the Prime Minister should not consent to give to private Members portions of Mondays and Thursdays. They had been told that the mission of the present Government was to protect the just rights of all Her Majesty's subjects, and surely legislators had a right to legislate. The hon. and learned Gentleman concluded by moving his Amendment.

MR. NEWDEGATE said, the hon. and learned Member for Denbighshire (Mr. Osborne Morgan) seemed determined that he should not agree with him. Unfortunately for the hon. and learned Member, he did not agree with him in the substance of his Amendment; but as he (Mr. Newdegate) also agreed with the Motion before the House he could not vote for the Amendment in supercession of the original Motion.

MR. SPEAKER: Does the hon. Member propose to second the Amendment? If not, he is out of Order.

MR. DILLWYN then rose to second

the Amendment, though not on the grounds set forth by the hon. and learned Member for Denbighshire (Mr. Osborne Morgan) in proposing it. He objected to the Rule, in the interest, not of private Members, but of legislation generally, and because it tended to produce "lobby legislation," instead of proper discussion and legislation in that House. The meaning of that was, that when Private Bills were opposed, the parties interested retired into the lobby, and, having arranged their differences, the objectionable clauses in them were amended and agreed to, and the Bills passed without any further opposition. Now, to that mode of proceeding he had a decided objection. He did not find fault with the system of throwing out many Bills brought forward by private Members, because sometimes the Government took up the questions, and it was for the public interest necessary that they should do so. For his own part, he had no great reason to complain of the Rule; for although it had given him a good deal of trouble, he had succeeded in passing an important measure in spite of it; but he objected to the Rule on behalf of business in the hands of Government. The Government were at all times anxious to get their Bills through the House before the end of July, and on account of this Rule had to compromise with private Members who had Amendments on them. They had to go into the lobby and square up with those private Members, and clauses were thus passed which were objectionable, and would not have been passed had they been discussed in the House. That, he believed, was a bad habit. The existing Rule of the House was clearly insufficient, and he should therefore vote for its repeal to prevent this "lobby legislation." He thought it would be well to add to the original Motion words providing that the Resolution should not apply to money Bills or those which had passed through Committee.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the time allotted by the Rules of the House to the consideration of Bills introduced by private Members is already insufficient for the due discussion of the same and ought not to be further restricted,"—

(Mr. Osborne Morgan.)

—instead thereof.

MR. NEWDEGATE said, that having taken a very active part in the deliberations of the Committee on Public Business last appointed by the House, it was not likely that he should now oppose the Rule. He thought, however, it was doubtful whether it ought to be brought into operation very early in the Session. So sensible was he of the evil which the Rule was originally intended to obviate, that he should not oppose his hon. Friend the Member for Leicestershire (Mr. Heygate) on the present occasion; but he thought the subject-matter of the Amendment ought to be treated separately. The hon. and learned Member (Mr. Osborne Morgan) had cited the instance of a Bill he himself introduced. It was a measure for the purchase of sites for religious worship. He (Mr. Newdegate) moved a clause providing for the enrolment of the deeds, and the House sanctioned it; the House of Lords threw out the clause for enrolment, and the hon. and learned Member accused him of being asleep the next Session when the Bill was re-introduced, because he did not insist on the insertion of the same clause. The hon. and learned Member gave him no credit, however, for having yielded to the decision of the House of Lords. He was by no means asleep; but he thought the subject of enrolment ought to be dealt with by another Bill. Certainly it could not be said of the hon. and learned Member himself, *aliquando dormitat*, for at that moment he was prepared to prevent the House from ever going to bed. The opportunities given to private Members for bringing forward their measures were not sufficient. Within a week of the opening of the business of the Session, every Wednesday was filled up to the 15th of July. Some limit should be placed on this reaching forward of hon. Members to seize Wednesdays for the second reading of their Bills. The Rule preventing Members from choosing a day for Notices of Motion beyond a fortnight, might be advantageously applied to second readings of Bills on Wednesdays. He should support the Motion.

MR. DODSON said, he would not discuss the practices of foreign assemblies. He would only say that if the majority were going to follow the precedent of the Polish Diet, and kill the minority, he hoped they would, at least,

allow the hon. Member (Mr. Osborne Morgan) to pass his Burials Bill first. He was not originally in favour of the Resolution. He was a Member of the Committee of 21, to which the Mover of the Resolution alluded; but he was not present when its recommendation was agreed to, nor had he voted in support of the Rule adopted in the House. His own feeling had always been that, as a general rule, these matters were best left to the good sense of Parliament, and that liberty ought not to be too much restricted. This particular Rule was open to several objections. It did not allow any particular measure to be talked out, as on Wednesdays, but it enabled anyone to shelve a measure successfully by talking on the preceding Bill till half-past 12 o'clock. It was a sound maxim that *vigilantibus non dormientibus leges subveniunt*; but this Rule reversed the maxim, because any somnolent Member had only to place on the Paper a Notice of objection to a measure, and provided he made sure that the discussion on the preceding Bill would be proceeded with beyond half-past 12, he might go home early to bed. It was not, therefore, a Rule the stringency of which he should like to see increased. As regarded the Motion which had now been made, he was not prepared to offer any opposition to it. A Rule of this kind had been approved by a Committee of the House—this Rule was unanimously agreed to by the House itself in 1872—and was confirmed by a large majority, after experience of its operation, in 1873. Thus a new Parliament might well give it a trial, but it should be adopted as a Sessional Order, not a Standing Order, so that it would call for re-consideration at the commencement of next Session. The statement that this Rule had occasioned the defects in the Bill of the hon. and learned Member for Salford (Mr. Charley) seemed a *post hoc propter hoc* argument; for his part he could not connect the two things. Be this as it might, the House could hardly go far wrong in adopting the Rule experimentally.

MR. DISRAELI said, that, generally speaking, he was very little disposed to curtail the privileges of private Members. This question had been considered by Committees, and often by the House. In the Committee of 1871, of which he

was a Member, the principle of limiting the privileges of Members in this respect to a certain part of the night, was brought forward by Mr. Bouverie—a name always to be mentioned with respect in that House—and as to the conduct of its business a high authority, to whom he had no doubt they should often appeal. Mr. Bouverie's proposal was that the Rule should take effect at 1 o'clock. The hon. Member (Mr. Newdegate) submitted, as an Amendment, that it should take effect at half-past 12. The question was discussed by a strong Committee, and a large majority—if he remembered rightly, 15 to 4—decided in favour of the proposal of the hon. Member for North Warwickshire, which he himself had the honour of supporting. On the whole, experience had shown the Rule to be satisfactory. No doubt some instances might be quoted in which its exercise had been not exactly vexatious, but disappointing, to some Members; but, on the whole, the feeling of the last House had been favourable to the Rule, though he quite agreed that it would be prudent to pass it only as a Sessional Order. At the same time, a suggestion had been made by the hon. Member (Mr. Dillwyn) which seemed worthy of consideration—namely, that this Rule should not apply to the third reading of Bills. He thought such a modification would not interfere with the general spirit of the Rule, while it would prevent the vexatious exercise of it in the case of third readings, and remove some of the objections urged against it. The same feeling which induced him to support in the Select Committee the proposal of the hon. Member for Warwickshire would now induce him to support the Motion before the House; but he wished his hon. Friend (Mr. Heygate) would alter the Motion, excepting from the operation of the Rule Money Bills or Bills which had passed through Committee.

MR. BERESFORD HOPE said, he thought it would be better to adopt the Rule as it had come down from the last Parliament, leaving for future consideration the question whether the modification just suggested should be adopted next year. The result of the modification would simply be that the good nature of Members would end at an earlier period than it did now, and Bills would not be allowed to go through Committee. The Rule seemed to him to work very

well as it was, and he hoped it would pass without alteration.

SIR FRANCIS GOLDSMID remarked that no private Member could pass a Bill which was opposed with anything like strength. They had tried the operations of the Act as it stood, and had been made aware of its stringency, and if they tried a modification they would be better able to form a judgment upon the matter.

MR. HENLEY said, he thought the simple question was, not whether the time for private legislation should be restricted, but whether the little time available for business after half-past 12 should be used or wasted. Those who had to do with the little hours knew that half a dozen Members might move the adjournment, and that one or two hours might be pleasantly spent in walking through the lobbies. Any man could always get three or four men, as wicked as himself, to act with him. That was sheer waste of time; whereas under this Rule what was done after half-past 12 really advanced business. He thought it would make little difference whether the question was to be settled by a Standing Order or a Sessional Order. What they wanted was to save time, and he believed the mode proposed would have that effect.

MR. MUNDELLA said, he hoped the hon. and learned Member for Denbighshire (Mr. Osborne Morgan) would withdraw his Amendment and accept the suggestion made by the hon. Member for Swansea (Mr. Dillwyn), and approved by the Prime Minister. He knew many cases in which the Rule in question had worked very injuriously, and "squaring" led to bad legislation. In one instance an Irish Member introduced a Bill which would enable money to be borrowed at 3½ per cent to build mansions in Ireland. He put a Notice on the Paper of his intention to move that the Bill be read a second time in three months. What did the hon. Member do? He gave Notice of an Amendment to a Bill of his (Mr. Mundella's), and then went off to Ireland for three weeks. In another case a Bill of his for the protection of children was treated in the same way; an hon. Member gave Notice of an Amendment, and then went off to Wales. The maintenance of the Rule as it stood would cause great inconvenience and irritation to hon. Members; it would



work still harder on the hardworking Members, whilst it would allow the indolent to go comfortably home to bed.

MR. MOWBRAY said, he hoped the hon. Member for Leicestershire (Mr. Heygate) would take the sense of the House upon the proposition, because he (Mr. Mowbray) believed that great evil and much injury to health were consequent upon transacting business at such very late hours. The Rule was one on which all who were Members of the last Parliament had abundant experience. They had been recommended by the hon. Member for Chester (Mr. Dodson) to trust to the good sense of Members. Some years ago, when they had Mr. Brotherton in the House, and he endeavoured to enforce a 12 o'clock rule, they were also told not to tie their hands, but to trust to the good sense of the House. But when Mr. Brotherton was gone, and they came to rely on that vague thing, the good sense of the House, it broke down. They had experience of late hours in 1869 and 1870, and found how prejudicial those prolonged sittings were to the health of Members; while, on the other hand, the Rule now proposed had been sanctioned by a large majority of the Committee in 1871, and found to work satisfactorily in 1872 and 1873. He would point out to his right hon. Friend at the head of the Government that the modification which he approved would have a very sensible effect in limiting the operation of the Rule; and it should be remembered that the interpretation put on the Rule by the authorities of the House had already very considerably restricted its operation. It was at first very generally understood that the Rule would operate against Amendments in Committee; but it was decided that once the Speaker left the Chair, it would not apply to such Amendments. And now, if hon. Members were not allowed to take an objection to the Report or to the third reading, the Rule would be efficacious only in two instances—the second reading and the Motion for going into Committee. He hoped, therefore, the House would affirm a Rule which had been found to be efficacious, which had contributed to the health and convenience of Members, and had been tried and worked satisfactorily for the two past years.

SIR GEORGE BOWYER said, it seemed to be assumed that all the bad

legislation was after 12 o'clock; but there was a great deal of bad legislation at the dinner hour, and after dinner. There was of late years a growing tendency to limit the opportunities of private Members for carrying Bills through the House; and if that limitation were carried much further hon. Members would cease to have any independent power of legislation, and they would become simply an Assembly to decide upon the measures which were brought forward by the Government. The question was really one of constitutional importance. Some years ago he passed through Parliament a Bill which now regulated all Roman Catholic charities in this country. This measure was bitterly opposed by the hon. Member for North Warwickshire (Mr. Newdegate), and if the limit as to half-past 12 had been then in force, the Bill, with such opposition, could never have been carried at all. That showed the inconvenience that might arise from giving to any one Member a power absolutely to stop the proceedings of another.

MR. HEYGATE said, he felt it impossible to accept the suggestion approved by the high authority of the Prime Minister. It would entirely emasculate a Resolution which had been approved by the Committee of 1871, which had worked well for two years, and which had found acceptance on both sides of the House. The fact was, instead of limiting the operation of the Rule, he had been pressed to go in a very different direction.

MR. KNATCHBULL-HUGESSEN believed, as far as he could ascertain the sentiments of hon. Gentlemen in his immediate neighbourhood, that they were inclined to support the modification recommended by the Prime Minister; but he hoped the hon. and learned Member for Denbighshire (Mr. Osborne Morgan) would first withdraw his Amendment. As far as he could judge, the Prime Minister was making a concession to private Members which ought to be accepted. With respect to the general question, he thought a great deal too much had been made of the interests of private Members; because, as a matter of fact, they had arrived at a state of things in this country when the Government must reflect the public opinion, and the measures introduced by the Government were those measures upon which the

public opinion most demanded legislation. And, moreover, as soon as the Government launched a measure in the House—he did not say whether the measure was right or wrong—it became the property of the House, and any private Member had as much right to speak upon it as the Government. Any measure backed by a strong force of public opinion was sure to obtain a hearing, and the late hours which prevailed prior to the Rule were detrimental to the health of Members. Some of the best men in the country always occupied the Treasury Bench, whatever party was in power, and he had often seen them detained to a very late hour of night, to the waste of their time and energies, by Gentlemen who, though estimable, proposed measures backed by no force of public opinion. The real truth was, that it was impossible to do business in an Assembly of 650 persons except by the exercise of great self-restraint and mutual forbearance. The proposed restriction was, he thought, wise and salutary, and he would support it with the Prime Minister's modification. He would suggest the withdrawal of the Amendment. ["No, no!"]

MR. HORSMAN said, he saw no difficulty in arriving at the conclusion evidently favoured by the general feeling of the House. His hon. Friend (Mr. Dillwyn) had suggested a modification which the Prime Minister had very judiciously accepted, and his hon. and learned Friend (Mr. Osborne Morgan) proposed to withdraw his Amendment in its favour. There appeared to be an objection to such withdrawal; but, if so, it could be negatived, and then, on the Main Question being put, his hon. Friend could propose the proviso as an addendum.

MR. OSBORNE MORGAN said, that if the House would permit him he would withdraw his Amendment. ["No."]

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*.

Main Question proposed.

Amendment proposed,

To add, at the end thereof, the words, "Provided, that this Rule shall not apply to any Bill which has passed through Committee of the House."—(Mr. Dillwyn.)

MR. GOLDSMID asked whether such a proviso was in Order? The House had

already resolved that the Resolution as it stood should be the Question put, and the proviso was in contradiction to the words, "except for a Money Bill."

MR. ROEBUCK said, he thought that there was no doubt whatever that the words could be added. All that had been determined by the House was that the original Resolution should stand part of the Question before the House. It need not be the whole Question, and though he acknowledged the proviso was rather awkwardly framed, this had resulted from leave to withdraw the original Amendment having been refused.

MR. SPEAKER said, the House had declared that the words proposed by the hon. Member for Leicestershire (Mr. Heygate) should stand part of the Question. It was quite open to any hon. Member to propose the addition of words to the Resolution.

Question put, "That those words be there added."

The House divided:—Ayes 275; Noes 113: Majority 162.

Main Question, as amended, put, and *agreed to*.

*Resolved*, That, except for a Money Bill, no Order of the Day or Notice of Motion be taken after half-past Twelve of the clock at night, with respect to which Order or Notice of Motion a Notice of Opposition or Amendment shall have been printed on the Notice Paper, or if such Notice of Motion shall only have been given the next previous day of sitting, and objection shall be taken when such Notice is called: Provided, that this Rule shall not apply to any Bill which has passed through Committee of the House.

#### CRIMINAL LAW AMENDMENT ACT (1871) REPEAL BILL.

LEAVE. FIRST READING.

MR. MUNDELLA, in rising to move for leave to bring in a Bill to repeal "The Criminal Law Amendment Act (1871)," said, having regard to the fact that Her Majesty's Government had appointed a Royal Commission to inquire into the subject, and that they had promised to legislate upon it during the present Session, he was willing to postpone the second reading of the Bill until the 10th of June. Before that time they could hardly expect the Commission to make their Report, and after that time legislation might be regarded as impracticable.

MR. ASSHETON CROSS said, he did not rise for the purpose of opposing the introduction of this Bill; but he was glad to find that the hon. Member proposed to defer its second reading at all events for a considerable time. He should like to say, as there had been some misconception upon the matter, that the first moment that the most urgent business which the Government had to deal with was disposed of, he had brought before their attention what he thought was the most pressing matter connected with the particular Department of which he had charge—namely, this question of the disputes which had arisen as to the working of two Acts of Parliament that had lately been passed, and the Government took up that matter at the first possible opportunity. He should like also to state that the way in which they found matters was this: A Royal Commission had been issued which had accumulated a vast amount of facts, and upon these facts Parliament had legislated. Two Acts of Parliament had been passed regulating the relations between master and servant; but complaint had been made that serious differences of opinion had arisen amongst large classes of Her Majesty's subjects with reference to the working of these Acts of Parliament. There was no information that he could place his hands upon, in the Home Office or elsewhere, to show the particular cases as to which complaints had arisen, and it became the duty of the Government to see how best they could inform themselves as to the matters in dispute. The working of the Law of Conspiracy having been questioned, it was necessary before legislating that they should have the advice of some of Her Majesty's Judges, and that the Judges should obtain information on which to give advice. The Government, therefore, thought the best way was to appoint a Royal Commission of perfectly independent men to consider what were the precise points in dispute, and to ascertain the facts. The Government had undertaken to do their duty, and hoped to receive the Report of the Committee in such time as to enable them to legislate upon the matter during the present Session.

*Motion agreed to.*

Bill to repeal "The Criminal Law Amendment Act 1871," ordered to be brought in by Mr. MUNDELLA, Mr. EUSTACE SMITH, Mr. MACDONALD, Mr. BURT, Mr. CARTER, and Mr. MORLEY.

*Bill presented, and read the first time. [Bill 41.]*

#### JURY SYSTEM (IRELAND).

Select Committee appointed, "to inquire and report on the working of the Irish Jury system before and since the passing of the Act 34 and 35 Vic. c. 65; and whether any and what amendments are necessary to secure the due administration of justice."—(*Mr. Bruen.*)

And, on April 20, Committee nominated as follows:—Sir MICHAEL HICKS BRACH, The Marquess of HARTINGTON, Dr. BALL, Viscount CRICHTON, Mr. LAW, Mr. PLUNKET, Mr. O'REILLY, Mr. LOPES, The O'DONOGHUE, Mr. MULHOLLAND, Mr. DOWNING, Mr. VERNER, Mr. HENRY HERBERT, Mr. SYNAN, and Mr. BRUEN:—Power to send for persons, papers, and records; Five to be the quorum.

And, on April 22, The O'Connor Don, and Sir Arthur Guinness added.

#### PUBLIC PETITIONS.

Select Committee appointed, "to whom shall be referred all Petitions presented to the House, with the exception of such as relate to Private Bills; and that such Committee do classify and prepare abstracts of the same, in such form and manner as shall appear to them best suited to convey to the House all requisite information respecting their contents, and do report the same from time to time to the House; and that such Reports do in all cases set forth the number of Signatures to each Petition:—And that such Committee have power to direct the printing *in extenso* of such Petitions, or of such parts of Petitions, as shall appear to require it:—And that such Committee have power to report their opinion and observations thereupon to the House:—"—Sir CHARLES FORSTER, Mr. KAY-SHUTTLEWORTH, The O'DONOGHUE, Mr. O'CONOR, Mr. M'LAGAN, Earl DE GREY, Mr. KINNAIRD, Lord ARTHUR RUSSELL, Mr. WILLIAM ORMSBY GORE, Mr. CAVENDISH BENTINCK, Mr. REGINALD YORKE, Sir CHARLES RUSSELL, Mr. SANDFORD, Mr. SIMONDS, and Viscount CRICHTON:—Three to be the quorum.—(*Sir Charles Forster.*)

#### GAME LAWS ABOLITION BILL.

On Motion of Mr. P. A. TAYLOR, Bill for the Abolition of the Game Laws, ordered to be brought in by Mr. P. A. TAYLOR, Mr. BURT, Mr. DICKINSON, Mr. GEORGE DIXON, and Mr. M'COMBIE.

*Bill presented, and read the first time. [Bill 36.]*

#### GAME BIRDS (IRELAND) BILL.

On Motion of Viscount CRICHTON, Bill for altering the shooting season for Grouse and certain other Game Birds in Ireland, ordered to be brought in by Viscount CRICHTON, Mr. Sergeant SHERLOCK, and The Marquess of HAMILTON.

*Bill presented, and read the first time. [Bill 37.]*

#### MONASTIC AND CONVENTUAL INSTITUTIONS BILL.

On Motion of Mr. NEWDEGATE, Bill for appointing Commissioners to inquire respecting Monastic and Conventual Institutions in Great Britain, and for other purposes connected therewith, ordered to be brought in by Mr. NEWDEGATE, Sir THOMAS CHAMBERS, and Mr. HOIT.

*Bill presented, and read the first time. [Bill 38.]*

## HYPOTHEC (SCOTLAND) BILL.

On Motion of Mr. VANS AGNEW, Bill to abolish the Landlord's right of Hypothec for Rent, except in regard to Dwelling-houses, in Scotland, *ordered* to be brought in by Mr. VANS AGNEW, Mr. BAILLIE HAMILTON, Sir WILLIAM STERLING MAXWELL, and Sir GEORGE DOUGLAS.

Bill *presented*, and read the first time. [Bill 39.]

## WILD ANIMALS (SCOTLAND) BILL.

On Motion of Mr. JAMES BARCLAY, Bill to amend the Laws relating to Wild Animals in Scotland, *ordered* to be brought in by Mr. JAMES BARCLAY, Mr. TREVELYAN, and Mr. FORDYCE.

Bill *presented*, and read the first time. [Bill 40.]

## REGISTRATION OF FIRMS BILL.

On Motion of Mr. NORWOOD, Bill for the Registration of certain Firms carrying on business in the United Kingdom, *ordered* to be brought in by Mr. NORWOOD, Mr. SAMPSON LLOYD, and Mr. WHITWELL.

Bill *presented*, and read the first time. [Bill 42.]

## SALE OF LIQUORS ON SUNDAY (IRELAND) BILL.

On Motion of Mr. RICHARD SMYTH, Bill to prevent the sale of Spirituous Liquors in Public Houses on Sunday in Ireland, *ordered* to be brought in by Mr. RICHARD SMYTH, The O'CONOR DON, Viscount CRICHTON, Mr. DEASE, Mr. WILLIAM JOHNSTON, Mr. REDMOND, Mr. JAMES CORRY, and Mr. THOMAS DICKSON.

Bill *presented*, and read the first time. [Bill 43.]

## HOMICIDE LAW AMENDMENT BILL.

On Motion of Mr. RUSSELL GURNEY, Bill to consolidate and amend the Law relating to Homicide, *ordered* to be brought in by Mr. RUSSELL GURNEY and Mr. LOPES.

Bill *presented*, and read the first time. [Bill 44.]

## CONJUGAL RIGHTS (SCOTLAND) ACT AMENDMENT BILL.

On Motion of Mr. ANDERSON, Bill to amend the Conjugal Rights (Scotland) Act, *ordered* to be brought in by Mr. ANDERSON, Sir EDWARD COLEBROOKE, Mr. ORR EWING, Mr. JAMES COWAN, Mr. LEITH, and Mr. YEAMAN.

Bill *presented*, and read the first time. [Bill 45.]

## WAYS AND MEANS.

Resolution [March 23] *reported and agreed to*:—Bill *ordered* to be brought in by Mr. RAIKES, Mr. CHANCELLOR of the EXCHEQUER, and Mr. WILLIAM HENRY SMITH.

Bill *presented*, and read the first time.

VOL. CCXVIII. [THIRD SERIES.]

PUBLIC WORKS LOAN COMMISSIONERS  
[LOANS TO SCHOOL BOARDS].

*Considered* in Committee.

(In the Committee.)

*Resolved*, That it is expedient to authorise an Advance or Advances, not exceeding £1,500,000, out of the Consolidated Fund of the United Kingdom, to the Public Works Loan Commissioners, for enabling them to make Loans to School Boards in pursuance of "The Elementary Education Act, 1870."

Resolution to be reported *To-morrow*.

House adjourned at Seven o'clock.

## HOUSE OF COMMONS,

*Wednesday, 25th March, 1874.*

MINUTES.]—PUBLIC BILLS—*Ordered*—Irish Land Act Extension\*.

*Ordered*—*First Reading*—Public Works Loan Commissioners (Loans to School Boards)\* [46].

*Second Reading*—Consolidated Fund (£7,000,000)\*; Parliamentary Elections (Polling) [21] *put off*.  
*Committee*—*Report*— (£1,422,797 14s. 6d.) Consolidated Fund\*.

IRELAND—UNION RATING.  
QUESTION.

MR. G. BROWNE asked the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Government to introduce a Bill this Session dealing with the question of Union Rating in Ireland?

SIR MICHAEL HICKS-BEACH :  
No.

PARLIAMENTARY ELECTIONS  
(POLLING) BILL.—[BILL 21.]

(Sir Charles W. Dilke, Mr. Anderson, Mr. Burt,  
Mr. Macdonald, Mr. Norwood.)

## SECOND READING.

Order for Second reading read.

SIR CHARLES W. DILKE, in moving that the Bill be now read a second time, said : The subject which I bring before the House to-day is one which has often engaged the attention of Parliament, and divisions were taken upon it both in the House of Commons and the House of Lords in the years 1870, 1871, and 1872. We have now before us the experience of the first General Election under the Ballot, and we have also a fact to deal with, to which I will presently allude,

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which makes the hardship of the limited hours greater than it ever was before. The special hardship of which I speak is this—that for every Parliamentary election there are two School Board elections; that the School Board polling hours are from 8 to 8 o'clock, and that it is impossible to get it into the heads of the majority of voters that the law has not been changed, and that the Parliamentary polling hours continue to be only from 8 to 4. As regards the experience of the late Election, the poll in most of London was taken in a dense pea-soup fog—taken, that is, by gaslight almost universally, and this fact disposes of the idle talk which was indulged in, in 1872, as to the great increase of personation which would occur if the poll were kept open to 8 o'clock. I venture to assert that there was not more personation at the last election with gaslight voting than there has been at previous elections with daylight voting; and I venture also to affirm that the School Board voting has shown that no inconvenience follows from keeping open the poll to 8 o'clock. If we consider this subject from a higher point of view, I think we must allow that when Parliament has once decided that certain persons should hold political power and possess the suffrage, that then Parliament is bound, if it does not wish to stultify itself, to facilitate the voting of those persons by all means in its power. Now, in London, and some other towns, a large portion of the voters are virtually disfranchised. The skilled artisans, as a general rule, take so keen an interest in politics that they give up the whole day, or half the day, for political purposes; but the persons who belong to other great classes of the community are less able, or less willing, to make this sacrifice. I speak on the one hand of the large number of voters who are below the rank of skilled artisans, and also of very different classes, such as bankers' clerks and city men. The subject is one of special importance in London because of the vast distances from the places where great numbers of voters have to vote, to the part of the City in which they have their work. Personally, I should be content to have a special law for London upon this point; but I am aware that the grievance is also greatly felt in Edinburgh, Glasgow, Bristol, and other large towns, and I have, therefore, thought it desirable to,

at all events, raise the question in a wider shape; and if the counties do not need the Bill, I will accept a limitation to boroughs in Committee. The difficulties in the way of carrying out a scheme which, in the great towns, at all events, is much needed, are only two—the fear of the increase of personation, and confusion, which, as I have said, is met by the experience of the last Election in London, and of the School Board elections universally; and, secondly, the consideration that the presiding officers, their clerks, and the representatives of the candidates at the booths would become over tired, and incapable of performing their work if the hours were extended in the way proposed. With regard to the second point, I think that the experience of the School Board elections would go to show that much importance need not be attached to it; but if others should take a different view, I should myself prefer to see a pause in the poll during a portion of the least busy hours of the day, rather than its present absolute limitation to 4 o'clock. The history of this question in the House of Commons is a most peculiar one, and does not reflect much credit upon those of us who had seats in the last Parliament. In 1872, the then Government divided the House against my proposal, that the polling hours should be extended; but finding that there was a strong minority, they then proposed a compromise. This was the famous sunrise and sunset compromise which we much disliked, but thought preferable to the existing law. When this compromise was objected to in the House, the Government wished to drop it, and when we objected to their doing so, they positively voted in a body against their own proposal. When the Bill reached the House of Lords, Lord Shaftesbury took up my Amendment, and moved it in my words, and carried it against the Government upon a division. The next day, however, the Government came down to the Lords, and asked that body to accept, instead of the Amendment that had been carried, their own compromise, against which they had actually voted in the House of Commons. Lord Shaftesbury gave way, and they carried their compromise in the Lords without a division; but when the Bill got back to the House of Commons again, and the compromise was again

objected to by the same hon. Members who had already objected to it once, the Government again dropped their compromise, and matters remained exactly as they were before. This episode, when told in the country, was not likely to increase the respect in which it held the deliberations of the House, and I cannot but think that there will be a disposition now, especially when it is seen that in the great towns, one party is as likely to gain by the change as the other, to take a bolder and more sensible view of the question, and to facilitate the exercise of the franchise by those persons on whom it has been conferred. The hon. Baronet concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Charles W. Dilke*.)

MR. GOLDNEY, in moving as an Amendment, "That the Bill be read a second time this day six months," said, the question had, in his opinion, been adequately discussed by the late Parliament, for it had been repeatedly brought before it by the hon. Baronet the Member for Chelsea (*Sir Charles W. Dilke*), but the House had always settled that the hours should remain as at present. He did not think the hon. Member had added much to what had then been advanced, nor had he made out anything like a case in support of the change which he advocated. The chief contention of the hon. Member was, that sufficient facilities were not given to the working men to exercise their privileges as voters. That was an erroneous contention. The fact was, that after an election some persons always attempted to account for the course of events, and that out-of-doors, some, who wondered why certain candidates had been returned and others not, had advocated an alteration in the machinery of voting. He had had an opportunity of looking over the late Election Returns for the borough of Chelsea, and he found that, taking the numbers of the highest successful and the highest unsuccessful candidate, 14,500 persons voted, as compared with 11,500 in 1868. [*Sir Charles Dilke*: Out of 25,000.] That fact showed that the proportion of voters on the register who voted had considerably increased since 1868—to the amount of 25 per cent—and that was also the case at Liverpool

and Manchester. In 1868, 15,000 voted in Liverpool, and this year there were 20,000; while in Manchester at the last Election 38,000 voted, as compared with 27,000 in 1868. Where, then, was the argument of the working men not being able to record their votes, when they had such a large increase in the number of those who actually voted in the largest and most important constituencies? He held that the contention had no valid ground on which to stand. This, indeed, was, in a measure, proved by the fact that no complaint, either in the shape of a Petition or otherwise, had reached the House with respect to the alleged defect in the working of the Ballot. His cure for the evil, if any such existed, would be not to extend the hours of polling, but to increase the number of the polling places. Since 1832, the policy had been to abridge the period over which the election extended. It was unduly disparaging the intelligence of artisans to represent that they could not be convinced that the poll closed at 4, and to keep it open till 8 would induce many persons to delay voting till the last hour, when there would again be a crowd and a demand for a still later hour. Indeed, he believed that that practice already obtained to a great extent. The excitement, moreover, would be protracted into the night, and Returning Officers, who had shown every desire to satisfy the natural anxiety of candidates and voters by declaring the result the same night—this being effected even in Marylebone, where 25,000 polled—would be unable to do so. Further than that, the hon. Baronet had expressed an intimation that the counties might not probably require it. Neither in his (*Mr. Goldney's*) estimation, did the boroughs. A double staff would be necessary if the hours were extended, and this would increase the Returning Officers' charges, which, as shown by three Motions for inquiry, were felt already to be excessive. The Bill would thus conflict with the principle advocated by the hon. Baronet, that it should be open to persons of any class to become candidates. The hon. Gentleman concluded by moving the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Goldney*.)

MR. ANDERSON supported the second reading of the Bill. He should like to say one or two words with regard to the objections which had been urged against it by the hon. Gentleman who had just sat down. The hon. Member said that the number of voters who took part in the last General Election had not diminished as compared with 1868, but had increased to a larger extent than might have been expected from the increased constituencies. That, however, was only a negative kind of argument; because it did not prove that if those facilities asked for in this Bill had been in existence there might not have been a still larger number of electors who would have recorded their votes. And the hon. Member took no notice of the difficulty under which many of those who recorded their votes did so. The hardship of the present state of things greatly affected the artizan classes of the country, and their complaint was that if they were not exactly precluded from voting altogether, yet they had to record their votes under exceptionally difficult circumstances. They must either vote during the dinner hour, when they might find the polling places so crowded that they could not get in, or they must lose half-a-day's pay by absenting themselves from work in order to poll. Now, he contended that it was unfair to expect any class, and especially the poorer class, to forfeit half-a-day's pay in order to record their votes. The hon. Gentleman said, "increase the number of polling places;" and at the same time he objected to the hours being extended, on the ground that it would entail additional expense. Well, would not the increase of polling-places also involve additional expense? To extend the hours of polling did not necessarily involve the increase of the staff, but to increase the number of polling-places must necessarily do so. It was in the experience of all hon. Members that the Returning Officers' expenses, under the Ballot, had been greatly heavier than before, and the reason for that was, that the Ballot Act had so largely added to the number of polling places. The hon. Gentleman said if they extended the hours of polling they would heighten the excitement of an election. For his part he thought it would have the very opposite effect, and in proof of this he would quote the case of his own constituents. The polling in Glasgow termi-

nated at 4 o'clock, and it was announced that it would be possible to give the result the same night. The consequence was that crowds remained in the streets in a more or less excited state until after midnight. Now, if the poll had been open until 8 o'clock, it would have been impossible to have counted the votes that night, and the people, knowing this, would have gone quietly to their homes, instead of remaining about the streets until midnight. The hon. Gentleman said no Petitions had been presented to the House in favour of the Bill, but he must remember that the Session was yet young, and before long he might see plenty of them brought to the Table. In conclusion, he begged to say that, so far as his experience went, the artizan class were very strongly desirous that this change should be made, and he should therefore vote for the second reading.

COLONEL BARTTELOT hoped the House would agree to the Amendment of the hon. Member for Chippenham (Mr. Goldney), because it would be an unfortunate and mischievous thing at that early period after the passing of the Ballot Act to re-open the question. Further time was wanted to see whether that Act really required improvement; and if they assented to the second reading of this Bill, no doubt they would soon find that plenty of other grievances under the Ballot Act would be brought before the House. That subject was carefully discussed in the last Parliament, and three divisions were taken on that very question—the first on a proposal to insert 6, instead of 8 o'clock in the morning, which was rejected by 242 to 66; the second, on the proposal of the hon. Baronet the Member for Chelsea (Sir Charles Dilke), to extend the hours to 8 in the evening, which was rejected by 206 to 98; and the third on a proposal to fix 5 o'clock p.m. for closing the poll in boroughs, which was rejected by 157 to 93. Every point now raised was raised in those former discussions, as would be seen from the reports of their debates. The hon. Baronet had failed to show that any inconvenience had been created, or that men had been unable to record their votes; or—what was an important point—that in instances where votes were kept back till a late hour, the voters did not in some instances hang



back—as was alleged in certain Petitions—in order to receive some small consideration for their votes. If the hour of polling were extended to 8 o'clock, these cases would be multiplied, and disturbances would increase, and temptation become more rife. It seemed to him that the Ballot Act, which it cost so much trouble to pass, had worked quietly and well, and they had better, for the present, remain satisfied with it.

MR. J. HOLMS said, that so far as his constituency (Hackney) was concerned, the present hours were very inconvenient—indeed, it was not possible for many of the best class of artisans to vote, for they left home for the City before 8 A.M., and did not return till after 6 P.M. He spoke of porters and packers—the very *élite* of the working classes—men who were entrusted with the valuable contents of the City warehouses, and who went to their duties earlier to prepare for the clerks and others who came at a later hour. These men could not vote without having the time given them or losing half-a-day's pay. As to excitement, it was created more by voters having the time given them, and by their hanging about afterwards. He asked why the same facilities for voting should not be given at Parliamentary elections as were afforded at School Board elections, which were so satisfactorily conducted? If the polling-places were kept open until 8 o'clock in the evening, much less excitement than prevailed under the present rule would be found to exist, and he had no doubt that if the Bill of the hon. Baronet the Member for Chelsea (Sir Charles Dilke) became law, much greater facilities would be afforded to the voter.

MR. RATHBONE said, he must at once deny that the object of the Bill or its supporters was to give their own party an advantage. He would contend that the extension of the polling hour would increase the power of the popular party for the time being, and that therefore the hon. and gallant Member for Sussex (Colonel Barttelot) and his Friends should not object to the Bill, for they would probably have an increased majority on their side of the House. He also wished to point out that, although the employment of cabs by candidates to bring up voters was prohibited by the present law against corrupt practices, yet at the late General Election that

prohibition had been generally disregarded by both sides. That was a state of things which ought not to be allowed to exist. Either the law ought to be repealed, which made the employment of cabs in large towns illegal, or the hours of polling ought to be extended so as to enable the working-men to walk to the poll. An extension of those hours would, he believed, decrease the expenses of elections in large towns by about £1,000 through the mere non-employment of cabs, and he believed that both sides of the House would find on inquiry that their constituents would welcome the change to a later hour of the afternoon than 4 o'clock. If the hours should be too long for Returning Officers and their clerks, let the polling commence at 11 or 12 in the day. The reality of the "Conservative working-man" must now be admitted; but it would only be a gracious act if his friends would recognize the inconvenience to which he was put in recording his vote, and would not expect him to make sacrifices disproportionate to those imposed on other classes.

MR. STEPHEN CAVE said, that as the Ballot Act was only a temporary and experimental measure, they had better try the experiment a little longer before they set about altering it. They were very much too fond in that House, if an Act did not carry out all the objects which its promoters expected from it, of immediately bringing in another Act to amend it next year. Thus, by degrees, the law became so complicated and perplexed as to be a scandal to the country, as had been remarked by the Judges over and over again. Scarcely an Act was passed which did not inconvenience somebody in some particular, and they always found an hon. Member taking a personal view of it, and coming down to ask that it should be instantly altered for his own convenience, or that of his constituency. He objected to the Bill now submitted for various reasons. An attempt had been made to treat lightly the objection that the polling would, in the event of an extension of hours, be carried on after nightfall. His opinion was that that was a very grave objection, for with regard to it, one point had been very much overlooked—it had been supposed that boroughs were nothing but large cities. No doubt, in a large city there was not much difference in the streets

by night or by day, and certainly in many parts of the Metropolis—for example, in Westminster the other day—the election was carried on during the whole day in Cimmerian darkness. There, whether it was 8 in the morning or 8 in the evening, it was pitch dark all the same; but then there were facilities which would enable that change to be carried out in large cities without inconvenience. In those places if it was dark they had only to turn on the gas; but how would it be in the case of the country boroughs? There were a number of those boroughs in darkness in the long evenings of the winter months, and there it would lead to confusion and riot, to a certainty, if the elections were carried on in darkness. In Gloucestershire, the other day, the riots in the Forest of Dean would have been aggravated, if the polling had been prolonged into the hours of darkness. From his own experience, he believed voters were not kept from the poll, except in a few instances, by the hours; but there was no class which had not to give up something in performing the duty of citizens. It was as inconvenient in many cases for merchants and tradesmen to give up their time in order to vote, as it was for workingmen; and those who were the great friends of the working classes were those who wished the expenses of elections to be thrown on the rates, which those classes would have to assist in paying. Yet they now cried out, because it would involve some small sacrifice of wages, if the working-man went to vote. He did not see that the working-man would undergo any great hardship. They gave up a great deal of time to their amusements, and he believed that those who really had strong political feelings would be willing to make some sacrifice to carry out their principles; but if there was any strong reason for giving greater facilities to voters, it might be done by multiplying the polling-places. In his constituency there were 22 polling-places, and they were within a mile and a-half of almost every voter. He thought the whole country had rather underrated the intelligence of the working classes in that matter, and he had himself supposed that it would be impossible to induce those men to come up in proper time and give their votes in the proper way; yet they had done so in great numbers in his own constituency, composed to a

great extent of labourers, where only 44 votes out of 4,000 were rejected for informality. The hon. Member for Liverpool (Mr. Rathbone) was very sanguine if he thought by extending the polling to 8 o'clock he would prevent the employment of cabs. Let them alter the hours as they pleased, yet they could not prevent cabs going about to pick up voters here and there, and voters often said they would not go to the poll at all unless they were conveyed. He saw many so employed in Westminster, and that was the case in all parts of the country in spite of the law. In conclusion, he thought they had better carry on the present system, at any rate, during the term fixed for the present Ballot Act, and when the Act came to be reviewed in its integrity, then would be the time, if it was to be renewed, to make any changes in it which experience showed to be necessary. He said so, because he believed that the working classes were well acquainted with the provisions of the law, and, in his judgment, did not in any way confuse the hours of Parliamentary and School Board elections as alleged. He further thought that, as far as mechanical facility was concerned, the Act had worked well both in town and country, and that no sufficient case had been made out for the alteration now proposed in it.

SIR HENRY JAMES said, that during the last Session of Parliament he had spoken against the extension of the polling hours to 8 o'clock, and he should equally oppose the present measure having the same object in view, unless the hon. Baronet the Member for Chelsea (Sir Charles Dilke) would agree to a considerable modification of its principle; for it seemed to him (Sir Henry James) that the evils of an extension of the hours of polling, if it were general in its application, would be great and conspicuous. Those evils included a great increase of expense and greater facilities for corruption. If the voting were continued after nightfall, there would probably be greater difficulty in maintaining proper supervision in the polling-booths, and relays of staff would be required, while an additional number of horses and carriages would also be necessary. Every hon. Member who represented a county or a borough would feel that the practical inconvenience of such an alteration would be so great as to render its general adoption very un-

advisable. Whilst holding that opinion, he also thought it would be wrong for him to decide the question solely by the light of his own convictions and experience. Some consideration ought to be paid to those who represented large borough constituencies, and whose experience might be very different. If the Representatives of such constituencies as Chelsea, Glasgow, Liverpool, and Hackney declared that many of the electors of those boroughs were practically precluded from voting at all, or could only do so at considerable inconvenience, and even sacrifice, some attention ought to be paid to them, and the question ought not to be repudiated by those who had had no experience of those inconveniences. He would, therefore, suggest to the hon. Baronet (Sir Charles Dilke) that his measure should be applicable to certain constituencies, and to those only. If it were the fact that some constituencies required that Bill, the majority must be considered and the common advantage, and not the advantage of a few constituencies only. If the hon. Baronet went further, and agreed that the constituencies desiring the Bill should prove their case, and that their names should be placed in a Schedule, then for such a measure, and for such a measure only, he would vote. It would be for such constituencies to make out their case, not simply by one of their Representatives expressing such to be their opinion, but by evidence given in some shape that would satisfy either a Committee of the House or the House itself that the measure was necessary for them. That step might meet the entire wants of the case. His own opinion, however, was that there was no necessity for an extension of hours in the great bulk of the constituencies. In a large town it would be no advantage to the working man to have 10 polling-places instead of five. What such a man required was that he should be able to record his vote without sacrificing half-a-day's wages. In some constituencies it was a habit not to work at all on the polling-day; and he understood that in many boroughs the employers gave a half or a whole holiday to their workmen, so that there the workmen would be idle whatever were the hours of polling. In Chelsea, on the other hand, a man who went to work in the suburbs might have to sacrifice a day's pay if he wanted to record his vote. It appeared

that out of 25,000 persons on the electoral roll for Chelsea, only 14,000 voted. That showed there must be some reason why the other 11,000 did not go to the poll; and many of them probably might have done so if an opportunity had been given them.

MR. ROEBUCK said, his hon. and learned Friend (Sir Henry James) had adduced an admirable argument against the present Bill. His hon. and learned Friend would throw out that Bill, and bring in something else to remedy the present state of the law. Therefore, he would suggest that his hon. and learned Friend should join them in throwing out that Bill, and then if the hon. Baronet the Member for Chelsea (Sir Charles Dilke) chose to do anything to amend the law, and took a proper course for doing it they would support him. The passing of the Ballot Act was a great political experiment. Parliament thought so, and therefore they determined that the Act should only last eight years, that it should therefore be tried at two General Elections before its principles were fully decided upon, and that they should learn by experience what further alterations might be required in its provisions. Now, the present Bill was not that sort of cautious mode of proceeding. Englishmen carefully made political changes. They did it with precaution, they did it always tentatively, they took care when any change was made that there should be no great jar which could possibly be avoided. That course they pursued in this case, and they determined that they would see how the Ballot Act worked before they altered it. But the hon. Baronet the Member for Chelsea broke in and said — "I am not for that, I want immediate change. Something has gone wrong; I don't like it, and therefore I will come to Parliament to endeavour to induce them to depart from their cautious and regular mode of proceeding, and not to regard experience as worth anything, but to take my statement that reform is needed." Well, if Parliament were to take the hon. Baronet's personal experience, he begged to offer them his own. He represented one of the largest constituencies in the North of England. The number on its electoral roll was 35,000, of whom 25,000 voted; and he never heard in the whole election contest any complaint made by the working men. In

fact, they rather liked the half-day that was devoted to what they termed "political excitement and exercise," and they voted then and there. Everybody was enabled to vote; and when it was said that at Chelsea only 14,000 out of 25,000 electors voted, he had yet to learn that the objection came from working men who would have voted if the poll had been open longer. He rather fancied that the persons who did not vote were the rich and the idle. He had always found the working men much more eager on those occasions, and much more determined to exercise their franchise, which they deemed of great importance, than the rich. Some people said—"I care but little how the thing goes; at any rate, my vote cannot be of much consequence." That, however, was not the feeling of the working man. He had the privilege of the franchise, and he liked to exercise it according to law. Well, he repeated that he had never heard any real complaint, and he said more, that the House now had no complaint before it; because the mere statement of the hon. Baronet the Member for Chelsea—what was it? Why, that he did not like the Act. He had not brought forward the case of any poor artisan who from pressure or want of opportunity had been unable to vote. Therefore, that House of Commons, following the example of other Houses of Commons, would, he hoped, go cautiously to work. They had made a great experiment, and surrounded it with the safeguards they thought requisite. Time would show whether they were sufficient or whether something else would have to be done; and he hoped that the right hon. Member for Bradford (Mr. W. E. Forster), who had charge of the Ballot Bill, would give them his opinion and sanction the principle he (Mr. Roebuck) was now laying down—namely, that the experiment which had been made should be fairly and completely tested, before they made any change in the law.

MR. MUNDELLA said, his experience was entirely at variance with that of his hon. and learned Colleague. That might, perhaps, be accounted for by the fact that his hon. and learned Colleague had the advantage of having his supporters conveyed to the poll in cabs and carriages, whereas his opponents had not. Now, any candidate who employed cabs in the face of the provisions of the

Act of Parliament, he distinctly stated ought to be ashamed of himself. The law ought to be repealed or enforced. When the Ballot Bill was before the House he had repeated applications from working men to support longer hours for the polling. Although it was true that over 25,000 men voted at Sheffield, yet a very large proportion of his constituents were left unpolled, and many of the men who polled went to him and complained that they had done it at the sacrifice of half-a-day's work, while others complained that leaving their employment for half-a-day was most inconvenient. The steam-engines were in motion, and a loss was entailed on the employers. It was said that tradesmen and merchants made some sacrifice in order to vote; but their case was not at all parallel with that of the working-man. As to those boroughs where it was alleged there was no gas, he asked where they were to be found in these days? The extension of the hour to 8 P.M., would not, he believed, cause any greater excitement at elections; and he also believed that working men generally were in favour of the change in the law.

MR. HERMON said, that in the last Parliament he advocated an extension of the hour, but his experience during the late Election had convinced him that there was no real necessity for it. He was opposed by a working man's candidate, and not a word of complaint from him against the present law did he hear. The polling was a very dull affair—though plenty of time was given to all to record their votes; and it should be known that in the towns in Lancashire the electors were a very enthusiastic body of people, and anxious to record their votes. He held it to be the duty of the workman, when he had the franchise conferred upon him, to make some sacrifice, in order to discharge the responsibility that attached to him, as a citizen, in recording his vote. [Mr. MUNDELLA: Oh, oh!] The hon. Member for Sheffield might say "Oh," but that was no argument. The men working in the large factories in the north were not locked out, if they absented themselves for a short time.

MR. T. E. SMITH believed that the present limitation of the hours of polling was inconvenient to many of the best class of artisans in Newcastle, where probably two or three thousand more

votes in a constituency of about 21,000 electors would have been recorded if the polling places had been open longer. In his district many of the best of the working men were employed on various jobs distant from the borough, and it was impossible for them to attend between the hours of 8 and 4 to vote, unless they made a considerable sacrifice, and perhaps gave offence to their employers. He contended that an increase in the number of polling-places would be of little use. He must express his surprise that the discussion should have assumed so much of a party character. Seeing that the Conservative working man had given such decisive proof of his existence, he should have thought that those who had been placed in power by his aid would have been desirous of giving him greater facilities for recording his vote.

DR. CAMERON said, that as one of the Representatives of a constituency of 52,000, he might be allowed to say a few words on the subject before the House. When he presented himself as a candidate for the suffrages of the electors of Glasgow, there was no topic in regard to which he found anything like so wide-spread interest as was manifested on that they were discussing, and this was conclusive proof to him that, in large constituencies at least, there was a very general desire for the extension of the hours of voting. It seemed to him that the objections which had been raised to the proposal of his hon. Friend, the Member for Chelsea (Sir Charles Dilke), might be divided into three headings, like everything else. In the first place, there was the abstract objection to tinkering up recent legislation. It must be remembered, however, that the legislation on this point had taken place without the benefit of the experience which the country had since had. Nor did it appear to him that the substitution of 8 for 4 would lead to such a terrible complication of the laws of the country as seemed to be imagined. The next objection raised was on the ground of expense, but he confessed it appeared to him that, so far from necessarily increasing the expenses, the alteration would in many cases tend to decrease them. As a proof of this, he stated that in Glasgow at the last General Election, the Returning Officer, actuated by the laudable desire to make known the results as promptly as possible, consulted the various candidates beforehand, in

order to obtain their permission to incur the increased expense of providing clerks to count the votes during the night immediately following the Election. As to the danger of rioting, he might remark that in his portion of the country the electors were prudent as well as enthusiastic, and while he did not believe many of them sacrificed their half-day's pay, he knew that many of them did more, for they sacrificed their breakfasts or their dinners. There was a proverb that "a hungry man was an angry man," and if there was a danger of rioting it was more likely to be experienced when a number of hungry men found that their candidate was defeated, because a number of persons of their way of thinking could not get an opportunity of voting for him. If, on the other hand, all were allowed to earn their full day's pay, to eat their meals as usual, and to vote for the man of their choice, there was much less fear of their being disorderly. It was said that employers were always ready to give their men holidays to allow them to vote; but, for his part, he thought that the Bill now before them would not be without good results, if it had the effect of doing away with the holiday nuisance; for if there was one thing more than another which conduced to rioting, it was the granting of these holidays on polling days.

MR. SCOURFIELD said, that if the proposed change were introduced it would be effected against the entire current of recent legislation, which had been in the direction of abridging the hours for taking the poll. As to the question of light, he hoped that if the Motion of the hon. Baronet the Member for Chelsea were agreed to he would propose that elections should be held at the time of full moon.

MR. E. JENKINS wished first to refer to the rather extraordinary argument of the hon. and learned Gentleman below him the Member for Sheffield (Mr. Roebuck), who said that because the Ballot was a tentative measure, they ought not to make it more tentative. Supposing for a moment there was anything in this, it appeared to him that they might go on making it more and more tentative in order to see if they could not make it more effective; but he regarded the argument of the hon. and learned Gentleman as of no force, for this reason, that this was not a question of the Ballot. It was simply a question of

affording facilities for voting; and whether the Ballot was in operation or not, it was perfectly open to the hon. Baronet the Member for Chelsea (Sir Charles Dilke) to propose to provide extra facilities for voting. He was rather sorry to see the danger that this was about to be made a party question, and felt greatly astonished that, considering all the talk they had heard about the Conservative working man, in whose manufacture the hon. Member for Westminster (Mr. W. H. Smith) had proved himself such an adept, the party in power should be found opposing a Bill the object of which was to afford facilities for working men to vote. He hoped to be able to offer one or two reasons which would convince even hon. Members opposite that they ought to support the second reading. One thing on which he laid great stress had not yet been referred to, and it was this—that it was advisable to afford every facility in their power to enable, if, indeed, not to induce, all electors to record their votes. At the last Election it was certain that in large and important constituencies which had hitherto exhibited strong political passions and prejudices, there was very extensive abstention from voting. He did not wish to inquire into the causes which had led to that abstention; but he did wish to state the fact, and he might be excused from reminding the House that he gave his testimony as the Representative of a large and intelligent constituency in Scotland. There was no doubt that there was, on the part of a great many *employés*, great difficulty experienced in getting an opportunity to record their votes, and the matter was one which affected not merely the working classes, but also clerks and other mercantile *employés*. It ought not, therefore, to be regarded as a class question. Even taking it as a class question, however, it would be becoming on the part of hon. Members on the other side, who had come in with a large majority and found themselves in power, not to offer any opposition, but to consent to take a large and generous view of the question. It had been clearly shown that there were large constituencies in which considerable numbers of working men felt it to be a grievance that they had to make the sacrifices they were now required to make before they could vote. It seemed

to him, therefore, that it would be wise for the Conservative party rather to fall in with the supporters of the Bill than to oppose them. They had at present a large majority; but he had seen in Canada two or three feet of snow on the ground, heard the tinkling of the sleigh bells, and seen the atmosphere clear and bright; and, twenty-four hours after, the snow had disappeared, the roads had been covered with mud, and the chariot wheels rolled heavily. The day might come when the right hon. Gentleman at the head of the Government would have to appeal once more to the constituencies, and having in such a case as this failed to meet the just demands of the working classes, he might not find so many of them willing to support him again. Apart from that, however, this was a mere matter of convenience in voting, and he was very much astonished to find the opposition that had been raised to the Bill of his hon. Friend. He had been trying to conceive while the hon. Gentleman opposite the Member for Chippenham (Mr. Goldney) was speaking, whom he represented, and in whose interest he spoke. Was it the attorneys? Well, they knew that if attorneys were kept till 8 o'clock they would take good care to get compensation. Did he speak in the interest of legal agents and clerks? Then he apprehended there were cases in which Mr. Speaker himself sat a much longer time in that Chair than they proposed to make these agents and clerks work at the polls; and however exorbitant their demands for compensation, there was little doubt but they could find means of satisfying them. He did not think these arguments as to matters of mere practical detail ought to be considered of any importance. What they had to do was simply to consider whether there was anything to be said against the principle and propriety of the measure which was now proposed to be read a second time. One of the strongest points put against the Bill was this—that it was likely to aggravate the excitement of the Elections. With regard to that, they had already a practical experience in the case of the School Board elections. These had been exciting elections, and religious passions and prejudices had been raised by them, and the fact that they had been able to carry on these elections without any aggravated excitement was sufficient

to cause the arguments on that head to fall to the ground. There was only one other thing he wished to suggest, and it was this—that the extension of the hours of voting would tend to enable working men, and *employés* generally, to be more independent of their employers than they were at present. In the course of the recent Elections an instance of the power employers exercised in the way of preventing their people from voting had come under his notice. There was every reason why they should remove such disabilities from the working man, and therefore he urged hon. Members to treat the matter in a spirit of generous concession, acting according to the spirit of the prayers which were daily said at the Table of that House, and which implored that they might be able to legislate without private interest, prejudice, or partial affection.

MR. M'LAREN said, he only rose to mention that, as it had been distinctly denied over and over again that the working classes had shown any desire to have the hours for voting extended, his experience had been in an opposite direction. Over and over again meetings had been held on the subject, and he believed that in the City he represented (Edinburgh) the working classes were all but unanimous—if, indeed, they were not quite unanimous—in regard to it. It had been said by hon. Gentlemen on the other side, and by an hon. and learned Member below him (Mr. Roebuck), that the use of cabs made the grievance very small, but there were many constituencies which respected the law which that House had made, and which did not use cabs. The constituency which he had the honour to represent had candidates of four different shades of opinion, and all these respected the law, not a cab being used during the election. They found, moreover, that out of a constituency of under 25,000, 19,000 voters went to the poll themselves. It might be said this showed there were no great difficulties with the present hours, but great hardships were suffered by those who did go to the poll. They lost their wages, they inconvenienced their employers, and thus there were hardships suffered by those who voted as well as by those who did not vote. His hon. Friend the Member for Chippenham (Mr. Goldney) said they ought to multiply the polling-places. He

(Mr. M'Laren), however, was satisfied from what he had seen at the last Election that there were far too many polling-places, and that double the number of electors could have voted at any one of them. The remedy, he was convinced, did not lie in that direction. The grievance rested here—that the working classes required to be registered in the districts where they resided, whereas their workshops were frequently miles off from the polling-stations, and it was quite impossible for them to come and record their votes without losing half-a-day's work. That was a decided grievance, and therefore he heartily approved of the Bill.

MR. R. SMYTH, as an Irish county Member, although he did not think the change was required in the case of such a constituency as he represented, should vote for the second reading of the Bill on the understanding that certain modifications were made in it in Committee, in the manner suggested by the hon. and learned Member for Taunton (Sir Henry James.)

MR. J. S. HARDY should oppose the second reading, not because he had any fear of the working classes, but because he found that the Bill was introduced by hon. Members who represented an extreme section in that House. He believed that in the late Parliament it was almost a matter of ridicule if they ventured to mention the Conservative working man, but the late Elections proved that Conservative working men could find time to give the votes bestowed upon them. Hon. Gentlemen opposite were no doubt dissatisfied with the result of the late Election, and therefore it was only natural they should support some such measure as this on the ground that their friends had not had time to vote.

MR. THOMPSON supported the Bill. A great number of his constituents were employed in mines, and therefore had no opportunity of recording their votes without incurring considerable loss of time. At the recent Election, however, almost all of them recorded their votes, although such a proceeding involved the loss of a day's work. He might mention that to enable those working men to go to the poll the mines stopped working; and what was the result? It was well-known that there had been frightful riots during those Elections, arising



from a large body of idlers being collected together. It was not the men who went to record their votes, but the idle population, who created these riots, and in the interest of the working classes it was necessary to pass this Bill.

MR. BRUEN said, it was admitted by the supporters of the Bill that the small borough constituencies ought to be excluded from its operation. Even supposing the alleged grievance had been proved to exist, still they were bound, in his opinion, to consider whether there were not other classes of electors besides the working man who equally suffered and whose claims ought to be recognized. For instance, the non-resident electors were put to great expense and trouble in recording their votes. They ought to consider all the grievances together, and not go into this piecemeal legislation.

COLONEL BERESFORD said, that at the last School Board election in Southwark the greatest order prevailed, and there was no difficulty in the working classes recording their votes; but at the Parliamentary Election a large number of working men were prevented from polling, by the fact that the distance to the polling-booths was so great that they could not come up during the dinner hour. He suggested that the operation of the Bill should be restricted to the Metropolis.

MR. LOCKE was of opinion that while in a great number of boroughs the Bill would be found unnecessary, it was most desirable that the proposed change should be made in the interest of large and populous constituencies. Any clauses of the Bill which were not in accordance with the views of the hon. and learned Member for Taunton (Sir Henry James) could be dropped out of the Bill. He was of opinion that more polling-places were required quite as much as extended hours. In the borough of Southwark, though there were upwards of 20,000 electors, there were only eight polling-places, and in many cases the voter resided at a great distance. Without some alteration, it would be impossible for all the electors to record their votes. He should vote for the second reading of the Bill, though he thought it capable of Amendment in Committee.

MR. ALDERMAN M'ARTHUR, to show that a grievance was felt by the working classes themselves, pointed out that a

large public meeting had been held in Lambeth on the subject, and that he had presented a Petition that very day from the electors of that borough in favour of the extension of the hours of polling. He thought this proposition for an extension of the hours would meet the approval of all the working people throughout the country. Out of nearly 42,000 voters in Lambeth at least 20,000 did not vote at the recent Election.

MR. ASSHETON CROSS: I rise, Sir, to say that on behalf of the Government I shall oppose the second reading of this Bill; and I shall do so, in the first place, because I find that the Bill, as presented to us, means one thing, while the object of the hon. Baronet the Member for Chelsea (Sir Charles Dilke) is totally different. I do not think it is fair to ask the House on a matter of this kind to vote for a Bill of simply one clause—from which, therefore, we cannot drop any clauses as suggested by the hon. Member for Southwark (Mr. Locke)—and that clause affecting not only all boroughs large and small, but also the counties in England, Ireland, and Scotland. Yet with the general Bill before you, to which you are asked to give a second reading, the hon. Baronet states all that he wants is to affect two or three of the larger boroughs in England, and more especially the metropolis. I think that is not a fair way of treating the House. I wish to call the attention of the House to the fact that this matter has been discussed by it already at great length in two successive Sessions of the late Parliament, and that on the first occasion this proposal was rejected by a majority of 239 to 60, while in the second year, 1872, when the Ballot Bill passed into law, a proposal of this kind was rejected by 242 against 66. Having read those debates, I have listened attentively for any fresh arguments, but I have failed to hear any argument which was not pressed upon the attention of the House in the last Parliament. I expected that the hon. Baronet would have laid before us statements from several towns, and, instead of confining himself to general terms, would have given us details of cases in which this law has worked hardship. I should have thought, if there had been such cases, that we should at all events have had Petitions from some boroughs; but we have heard of none, except one

just mentioned by the hon. Member for Lambeth (Mr. M'Arthur). And I certainly should have thought, occupying the position I have the honour to hold, that, did the hardship really exist, some representation would have been made to me from some borough or some metropolitan constituency, or by some of the hon. Members for those constituencies—and I do not find that as a rule hon. Members are unwilling under such circumstances to come before the Home Secretary—before this Bill came before the House. As it is, I have received none, and therefore I say no grievance has been shown to have occurred during the last Election on which this House ought to act. A great deal has been said about Conservative working men. I have the honour to represent a large and populous division of a county in which there are a great many Conservative working men, and all I can say is that, living and mixing among them to a great extent, I have never heard a wish expressed to extend the hours of polling. I will not go into objections which were raised before, because they have been discussed over and over again. I think there is a great deal in the question as to relays of polling-clerks, and a great deal is to be said in favour of voting early. That is a thing to be encouraged; but I believe that if you passed this Bill you would find that working men, instead of making an effort to vote early during their breakfast or dinner hour, would not vote until late, when they had done their work. I have heard of an instance at one of the elections of the school board at Croydon, since the General Election, in which, although the poll was open until 8 o'clock, when it closed there were hundreds of voters waiting outside to poll. One of the principal candidates attributed his rejection to the fact of his supporters having put off polling until it was too late. I should like to ask the House whether there is any proof that closing the poll at 4 o'clock really has prevented people from voting? I have before me the numbers of electors and of those who voted at the last Election in some of the largest boroughs in England, and I do not see any indication that voters in great numbers were prevented from polling. In Oldham there are 18,000 voters, and almost 17,000 voted; in Warrington, with 4,800 voters, 4,500 voted; and in

Wakefield, of 3,800 voters on the register, 3,400 voted. And so the list goes on; and I think it will be found that as a general rule a very much larger proportion of the persons on the register voted at the last Election than at former elections. I do not think we ought to encourage patchwork legislation. The hon. Baronet has already begun two pieces of patchwork. He has the Bill before us, and he holds in reserve a proposal for a Committee to discuss the whole of the Ballot Act, which is to come on next Friday. It may be that when the Election Judges have tried the Election Petitions, some points may be found in the working of the Ballot Act which require improvement, and when we have all the facts before us we can form an opinion as to whether the Ballot Act has any defect which would induce us to vote for this Bill. But until the Judges have tried the Petitions, and we have had more experience of the working of the Act, I submit that it would be most unwise on the part of this House to meddle with the Act as it stands, and I shall therefore give my vote against the second reading of the Bill.

MR. W. E. FORSTER said, that having had charge of the Ballot Bill while it passed through the House, he wished to make one or two remarks. He desired before they went to a division to correct a prevalent misapprehension from which it would appear his right hon. Friend the Home Secretary himself was not altogether free. It seemed to be thought that the Bill of the hon. Baronet the Member for Chelsea (Sir Charles Dilke) was framed with a view to amend the Ballot Act, but, as a matter of fact, there was no such proposal before the House, for there was nothing whatever in that Act with regard to the hours of polling. It was quite true that at the time when the Ballot Bill was under the consideration of the House some hon. Members advocated the change now proposed, and there was a discussion on the subject for several hours, but the result was that nothing was decided about the hours of polling, and that the law was left in that respect just as it had previously stood. It appeared to him that they ought to deal with this question purely on its merits, and ought not to mix it up with any considerations as to whether this was a fitting time to open up the subject of the

working of the Ballot Act. He had always, for his own part, been confident that the Ballot would have the effect of facilitating the voting and of rendering it more orderly and quiet, and, with regard to the hours of polling, he had himself felt that the arguments of those who contended for their extension were so strong that it was impossible to shut them out of court, but in order to meet the objection to voting in the dark, especially before the effect of the Ballot Act was known, he had endeavoured to frame an Amendment which would have enabled the electors to give their votes at any time between sunrise and sunset. In that endeavour, however, he did not succeed. He thought they must all agree that the experience of the last General Election had proved the working of the Ballot Act to be beneficial in obviating disorder, and he could not help rejoicing that one of the strongest objections brought against the Bill was now universally admitted to be removed, for, instead of people having shown an unwillingness under the present system to put themselves to the trouble of voting, there had been more voters than on former occasions. But although it was a fact that more persons had gone to the poll, finding they could vote in peace and order, this circumstance did not remove what seemed to him a real grievance, of which the Metropolis and some of the large towns had reason to complain. The right hon. Gentleman the Home Secretary had expected that more proof of the grievance would be brought forward. For his part, he did not know what more evidence they could ask for, than that one hon. Member for a large borough after another should get up and state that their constituents had felt the hardship. He did not, however, know that it was so much experienced in the borough which he represented as in some others. He did not, for instance, imagine for a moment that any employers of labour in Bradford would throw obstacles in the way of their men going to the poll; but it was easier there to get a half holiday than it was, for example, in seaport towns. It was impossible to deny that in London there was a reality in this grievance, and for this reason—that the immense population of London was composed in a large measure of working men who lived at a considerable distance

from their places of employment, and, there being less likelihood of public attention being attracted, it was more possible here than in most of our large towns for employers of labour to throw obstacles in the way of their *employees* voting. It must, however, be admitted that the grievance was not universal, but existed more in large boroughs than in small, and more in towns than in the counties. But in those boroughs where it did exist there was a reality in it which the right hon. Member for Shoreham (Mr. Stephen Cave) had failed to appreciate, and he could not help regretting that Government had attached so little weight to the general expression of feeling which they had heard from the Representatives of large towns. If an inquiry were made, he believed a case would be made out so strong that hon. Members on both sides of the House would be anxious to meet it. The hon. Baronet, it was true, had not moved for an inquiry, but had brought forward a Bill; but the matter might still be thoroughly considered if the measure were referred to a Select Committee, and if his hon. Friend agreed to that course, he (Mr. W. E. Forster) was prepared to vote for the second reading. There were three modes in which the object in view might be attained—first, by making the measure applicable to towns of a certain population; secondly, by naming in a Schedule the towns to which it should apply; and, thirdly, by leaving it to the towns themselves, or, in other words, to their municipal councils, to decide whether the hours should be extended. All these points might be fully considered by a Select Committee, and the Committee might be empowered to receive evidence. The result of this course would be, he believed, a general concurrence of opinion before the third reading in favour of meeting the grievance of which many hon. Members had complained.

LORD JOHN MANNERS said, he was of opinion that to refer this Bill to a Committee would be a mere waste of time. He thought further that it would be inconvenient to adopt that course, as to decide to what places it should, and to what places it should not, be applied, would be inconsistent with the Bill in its present form. He agreed with his right hon. Friend the Secretary of State for the Home Department that they had

*Mr. W. E. Forster*

not sufficient information on the subject, and that it would be wiser to wait until they acquired more experience on the subject.

MR. SAMUDA said, he had found at the late Election that the working classes, as a rule, had every facility afforded them for voting at any hour they liked, and that they almost invariably took advantage of this privilege at the earliest possible time. He contended that a fuller trial ought to be given to the existing law before it was altered, and he considered that one result of an extension of the hours of polling would be a doubling of the staff of officials.

SIR CHARLES W. DILKE said, he would willingly accede to the suggestion of his right hon. Friend the Member for Bradford (Mr. W. E. Forster), that in the event of the Bill being read a second time it should be referred to a Select Committee.

Question put, "That the word 'now' stand part of the Question."

The House divided:—Ayes 126; Noes 201: Majority 75.

Words added.

Main Question, as amended, put, and agreed to.

Bill put off for six months.

#### PUBLIC WORKS LOAN COMMISSIONERS [LOANS TO SCHOOL BOARDS] BILL.

Resolution [March 24] reported and agreed to:—Bill ordered to be brought in by MR. RAIKES, Viscount SANDON, and MR. WILLIAM HENRY SMITH.

Bill presented, and read the first time. [Bill 46.]

#### IRISH LAND ACT EXTENSION BILL.

On Motion of The O'DONOGHUE, Bill to extend the provisions of the Irish Land Act of 1870 to England and Scotland, ordered to be brought in by The O'DONOGHUE, Sir WILFRID LAWSON, MR. JAMES BARCLAY, and MR. HERBERT.

House adjourned at  
Three o'clock.

### HOUSE OF LORDS,

Thursday, 26th March, 1874.

MINUTES.]—Sat First in Parliament—The Lord Lyveden, after the death of his father.

PUBLIC BILLS—First Reading—Consolidated Fund (£1,422,797, 14s. 6d.)\*; Real Property Limitation\* (16); Land, Titles and Transfer (17); Vendors and Purchasers of Land\* (18).

#### NEW PEER.

The Marquess of Westminster, K.G., having been created Duke of Westminster—was (in the usual manner) introduced.

#### TRANSFER AND TITLE OF LAND.

BILLS PRESENTED. READ 1<sup>a</sup>.

THE LORD CHANCELLOR: My Lords, a Notice of Motion with regard to the Transfer of and Title to Land in this country has generally been the prelude to a very long speech, and I am afraid that I myself a number of years ago was in that respect a considerable offender in the other House of Parliament. But I think I may undertake to assure your Lordships that on this occasion I can compress in a very small space all the observations I desire to make. My Lords, I can do that the more readily because I know my noble and learned Friend who lately occupied the position I have now the honour to hold (Lord Selborne), made in the course of last Session a speech by no means too long, but most able and comprehensive, in which he went through the history of the attempts at legislation already made in respect of this subject. My Lords, therefore, without any prelude, I shall proceed to the legislation which I shall ask your Lordships to enter upon. I shall not stop to argue upon the advantages of a cheap and easy mode of transfer of land. Upon that point I think we are all agreed—and I think we are also agreed upon the blot which has hitherto existed in our system of law by reason of the complexity, delay, and expense which at present surround all the dealings with regard to real property. My Lords, for the purpose I have in hand I will ask your Lordships to look to four different dates, and the attempts at legislation which were made on those occasions. I will refer for a moment to the years 1859, 1862, 1867, and last Session. In 1859, it was my duty, as Solicitor General of the Government which then existed, to introduce in the House of Commons two measures which were founded mainly upon a Report of a Royal Commission. Those measures were on the subject of the registration of titles to land. My Lords, the phrase "registry of title to land" is very frequently used without adequate

precision as to meaning, and therefore I must ask you to allow me in a few sentences to explain what it really is; and I can best do so by asking you to note the difference between a registry of the title to land and a registry of deeds and assurances of land. The latter may be thus stated—Every deed connected with the property is placed upon the register—it is either transcribed at length or described in a succinct and formal manner, and the consequence is that the register becomes an historical narrative of all the deeds of every kind connected with the property. It is obvious that a register of that kind may add security to the title to land, but it by no means facilitates the transfer of land. On the contrary, it has quite the opposite effect, because a mass of deeds is placed on the register; and if a person purchases land he has not only to ask for an abstract of the title and examine the original deeds, but he has also to go to the register and see that the entries there correspond with the deeds themselves. We now come to the registry of the title to land. In the registry you will have no deeds whatever. You will have on the register a description of the property—where it is, how it is called, and as far as possible its boundaries; but beyond those particulars you will have nothing except the name of the proprietor of the land. Let us see how that will work in practice. The owner of a fee-simple estate with a perfectly good title contemplates selling it in lots for building purposes—say in 50 lots. Well, as the law at present stands, when he comes to deal with the purchaser of the first lot he must make out a title and give an abstract of all the dealings with the property for 40 years back. Great expense is incurred in the case of this lot; but the matter does not end there, because the same course has to be gone through in the case of every one of the other lots into which the property is divided. Now, under a registry of title, the land would be placed on the register with a simple description of the situation, and the name of the proprietor. That being done, every one of the fifty intending purchasers has nothing to do but come to the register and satisfy himself that the person to whom he is about to pay the purchase money is the person whose name is inscribed therein, and that the piece of land he is about to

purchase is the same as described in the register. The limitation of time and expense would be as great as can well be conceived when we compare that process with the one which has at present to be gone through. The establishment of a registration in that sense was the object of the Bills which I introduced in 1859. At that time the proposal was novel; but I am bound to say it met with very considerable favour both from the profession and the public. The Bills were read a second time; but a Dissolution of Parliament having come on shortly after, the subject was allowed to slumber. In the year 1862—the second of the epochs to which I am desirous of calling your Lordships' attention—the late Lord Westbury, as Lord Chancellor, introduced in your Lordships' House a Bill on this subject, which was subsequently carried through Parliament. It was based on the principle of a “registry of the title to land,” so far as the term; but it was not a measure for the registry of land in the sense I have endeavoured to explain it. It was a registry which, under the name of a registry of land, was a registry of deeds; and, in my mind at least, it was a registry of deeds of the worst kind, because it was a system under which the person registering had the power to place on the register, not the deeds themselves, but a statement of what he conceived to be the effect of the particular deeds. In the House of Commons I took the liberty of objecting to that system on two grounds. The first was the ground I have just stated; the second was that the Bill provided that in the registration of the estate the boundaries of the estate should be settled irrevocably by a judicial decision, the probable consequence of which would be disputes as to boundaries among all the adjacent owners. However, the Bill passed into law, and a Registry Office, with a Registrar and staff, was established in London with a view of carrying the measure into effect. A certain number of proprietors brought in their properties for registration in the office under that Act, but the number was so small as compared with the aggregate of proprietors of land in this country, that the Act is generally regarded as a failure. I now ask your Lordships to come on with me to the year 1868. At that time I filled the office which I have now again the honour to hold, and I

was unwilling that the subject of the transfer of land should be allowed to remain in its present position. Accordingly a Royal Commission was appointed to inquire into the working of the Act of 1862. That Commission was composed of men well qualified for the duties they had to discharge in connection with it. Besides several of the Law Lords, it included several eminent barristers, conveyancers, and solicitors. My noble and learned Friend (Lord Romilly) was Chairman of the Commission, and the late Lord Justice Giffard and Mr. Walpole were members. I may venture to commend the Report of that Commission to any of your Lordships who may not have read it, as a very interesting piece of reading, and one which throws much light upon the present state of the law. It enters into the history of what was done in 1862, and states that, in the opinion of the Commissioners, the Act of that year had proved a failure. It then states what, in the minds of the Commissioners, had been the causes of its failure. I think the most conspicuous of those are the causes which I have already stated—its mode of dealing with boundaries, and its want of simplicity in placing what I may call the title-deeds on the register. The Commissioners assigned some other causes of failure also. They recommended that another system should be adopted—that there should be recurrence to the principle on which the Bills of 1859 had been framed. Five of the Commissioners recommended a literal reproduction of the Bills of 1859; the other Commissioners recommended that the principle of those Bills should be adhered to. I now pass from the Report of 1868 to the last Session, when my noble and learned Friend who then occupied the Woolsack (Lord Selborne) brought in a Bill which was mainly founded on the Report of the Commissioners, and which adopted, I venture to think, the true principle of the registry of the title to land. There were two differences between the Bill of my noble and learned Friend, and the Bill of 1859. My noble and learned Friend proposed to utilize the Office of the Land Registry in London, created by the Act of 1862, as the registry to which titles were to be brought; whereas the Bill of 1859 provided for the establishment of a Landed Estates Court similar to that

which exists in Ireland. He also proposed that after a time there should be a compulsory registration of land, whereas the Bills of 1859 had left the registration entirely voluntary. Your Lordships will recollect that in the last Session you were very much engaged in the consideration of the Judicature Bill, which occupied a very considerable time. It was obvious when my noble and learned Friend first introduced his Bills on the subject of land there would be much difficulty in considering them before a Select Committee, and yet it was obvious that the provisions required to be minutely inquired into. Under those circumstances, I recommended my noble and learned Friend not to proceed with the scheme, but to refer it to some distinguished conveyancer in the interval between the two Sessions, that it might have the benefit of his revision. My noble and learned Friend adopted that suggestion, and placed his Land Titles and Transfer Bill before Mr. Hall, now Vice Chancellor Sir Charles Hall, who was then practising at the Bar. My Lords, I must pause here to say that I think, if my noble and learned Friend had appealed to the profession at large as to the person best qualified to deal with a matter of this kind in a manner safe and satisfactory, there would have been an unanimity of opinion that he could not have made a more judicious selection; and I further think that it is of the greatest possible advantage that the matter has been considered by a person so experienced in the law of real property as Sir Charles Hall. I must also pause to say another word with regard to my noble and learned Friend. A short time before the change of Government, but when that change was said to be impending, my noble and learned Friend communicated to me that it might possibly be my duty to introduce a measure on this subject, and he handed over to me the papers connected with his measure, that I might have the fullest possible opportunity of considering it and making any alterations that might appear to me to be necessary. I thanked him in private, and now I thank him in public. I regard what he did as not only courteous to myself personally, but useful to the public; because under no other circumstances would it have been in my power, within a week after the commencement of the Session, to

place before your Lordships the Bill which I have now the honour of submitting for your consideration.

My Lords, I will now explain what it is I propose to do. It will not be necessary for me to go through all the provisions of the measure; but there are questions which will naturally occur to the minds of some of your Lordships, and will also occur to the public out-of-doors, and these questions it may be convenient for me to anticipate and answer. One question that, no doubt, will be asked is this—What is the kind of title you are going to register; is the title, once registered, to be thenceforth indefeasible? My Lords, under this Bill I propose that there may be a registry of three kinds of title—namely, a title absolute or indefeasible; a title limited—that is to say, a title certified to be good from a particular date, but not beyond it; and a simple title of the proprietor in possession and alleging himself to be owner. We should then have a title certified to be absolute, a title certified for a limited date, and a title not certified. I know it has been proposed that what is called, in popular phraseology, “a good holding title” should be allowed to be certified by registration as absolute and indefeasible. I am not able to make that proposition. “A good holding title” is not an uncommon phrase, but it is not a legal phrase; it has no legal precision, and cannot be defined in legal terms. Quite the contrary—because it must be remembered that what may be in the opinion of one conveyancer “a good holding title,” may be in the mind of another conveyancer a title surrounded with difficulty and doubt, and for that reason a title which he would not allow his client to accept. There can be no doubt that in the dealings with land such a title is very often accepted—particularly under “conditions of sale”—but it is always one which the purchaser accepts at his own risk, and if the title turns out to be bad, the loss is his. It would be a very different thing to allow by law a registry of such a title as that, with the view to a legal certificate that it was indefeasible. But I propose to do that which, I think, will do full justice to those who wish to deal with good holding titles. I propose that if persons come before the Registrar with a title which is marketable and good, but in

which, by reason of some incident, there is a theoretical imperfection—such as a covenant to produce a deed, or similar requirements—the Registrar is to be at liberty to state that incident to the Court, and if the Court is satisfied that it may be waived and disregarded, it is to be at liberty to act on that opinion and certify the title as indefeasible, or limited as the case may be. I propose to go further, and to introduce what I think a useful change. No title is now considered by the Court of Chancery as marketable which has not its root 60 years back. I propose that, under this Bill, the Registrar may accept titles having their root only 40 years back, providing there be nothing to lead him to suspect that there are imperfections in the earlier period of the title. I also propose that he shall be at liberty to receive as facts recitals of deeds 20 years old at the time of registration. With these qualifications and with well-drawn conditions of sale, and with these powers in the Registrar, all that is safe and desirable in passing an Act—good holding titles—will be attained. The next question is—What do you propose to do about boundaries? I have stated that an objection to the Bill of 1862 was that it required the boundaries to be settled. I propose that the boundaries shall not be settled. I propose that the Registrar shall describe the boundaries in the best way he can, but that he shall not be charged with the duty of deciding questions of boundary as between adjoining owners; and I make that proposition on this principle:—It was shown before the Royal Commissioners of 1868 that in practice boundaries never create any difficulty in the buying and selling of property; that questions of boundary were managed quite easily on the spot, and never came before counsel at all. In the next place, my objection to a settlement of boundaries by the Registrar is this—that it would bring forward disputes and lead to litigation. On many estates there have been unsettled questions of boundary for hundreds of years, but they have been allowed to remain in abeyance, and never have caused any difference among the owners of adjoining estates. They have gone on very well for a hundred years, and may go on very well for the next hundred without discussion. But if the duty of settling the boundary is devolved on the



Registrar that satisfactory state of things may be put an end to; because if you raise doubts, and force the owners to have their boundaries settled, the parties may refuse mutual concession, and thus you will give rise to a course of litigation—which would be very objectionable. I am of opinion, therefore, that this settlement of boundaries would be a means of creating unnecessary difficulties. But there is a still further reason against it. It would be impossible for the Registrar to decide as between adjoining owners unless he had all the adjoining owners before him; but when John Smith comes before him to register his title to Whiteacre, how is the Registrar to know the boundaries of all the owners of property on both sides of Whiteacre? The Registrar if he were to settle the boundaries of John Smith of Whiteacre would have to enter into an examination of all the titles of the adjoining owners, in order to satisfy himself that he had all the real owners before him. All that, for the objects we have in view, is unnecessary. It is disregarded in the practical dealings with land, and is a thing nobody asks for. I cannot present this view better than it was presented by the late Mr. Waley to the Royal Commission of 1868—

“The relinquishment of the practice of determining the boundary of registered lands . . . will leave the registered owner subject to the possible claims of his neighbours, so that an indefeasible title will mean a title beyond question by any except adjoining owners. To this I think that there is no practical objection. The possible rights of adjoining owners may be classed with the rights of way and other rights the liability of which is practically consistent with indefeasible ownership.”

Then, the next question which will be asked is this—What interests in land do you propose to have a registry of? My Lords, I propose to register fee simple estates, leaseholds of a certain length, and charges, including mortgages, on the estate. Then comes the extremely important question—Is the registry to be compulsory or is it to be voluntary? I propose that for three years after the commencement of the Act there shall be no compulsion in any form. I myself am very sanguine that it will be found that if this measure should have your Lordships' approval and become law, a great deal of business will have been transacted under it, and a great quantity of land will

have been registered before the expiration of three years. I say so for this reason:—This is a subject on which the public mind has been maturing for 15 years; the attention of the profession has been directed to it, and the attention of the public has been directed to it, and I think that almost without exception there has been an opinion universally expressed in favour of a registry of title such as I have described it. A registry of land such as I have described brings up land as far as can be to the analogy of ships and stock. It is that the public ask for, and the public desire to have. Moreover, we have the advantage derived from the experience of the failure of the Act of 1862. We know the causes which led to the failure of that legislation and we are able in these proposals to avoid them. I am therefore sanguine enough to hope that without any compulsion we shall have a very large amount of business transacted in the registration of title within the course of three years. I know it has been stated—and stated very strongly sometimes—that the solicitors will oppose a measure of this kind and prevent it from succeeding. I do not think so. I have had some experience of solicitors; and without adverting to what is obvious—that even in a matter of self-interest whatever improves the law and gives greater facilities for dealing with land must be a benefit, and not an evil to the profession—without adverting to that consideration, I speak from my own experience of solicitors when I say of the great mass of them that I believe there is not in the kingdom a body of men more intelligent, more liberal in their views, more desirous of improvement in the law, and more anxious to avail themselves of such improvement when made. But that does not depend upon my testimony; because if your Lordships refer to the evidence given before the Royal Commission, you will find a great deal of testimony on this point; and the Commissioners say that there is evidence to show that after the passing of the Act of 1862 there was the greatest anxiety among the most eminent solicitors to take advantage of that enactment, and to induce their clients to register their land under it; and that it was not until the working of that Act broke down, and that the expenses under it were found to be much

greater than under the old system, that they found themselves obliged to cease resort to that Act. Your Lordships will find it was no opposition of the solicitors that caused the failure of the Act of 1862; and therefore, unless I much deceive myself as to the advantages of this measure, I do not think it is one which will have to encounter the opposition of the profession. I propose, then, my Lords, that for three years after the passing of the Act there shall be nothing in the shape of compulsion. But I propose that after that time, whenever a sale of land is made, there shall be an obligation to register the title. If such registration be not effected the sale shall not be void, but the purchaser shall only obtain an equitable title. A legal title he shall not obtain till he registers. That mild kind of compulsion will not be put in operation till we have had three years' experience of the working of the registration system as a voluntary one. Well, then, the question will be asked, Who is to register the title? I take the office which already exists—the Office of the Land Registrar. I own—it may be, perhaps, a partiality for my own offspring—that I should have been better pleased to have established in this country a Landed Estates Court after the fashion of the Irish Landed Estates Court; but there is the difficulty of having an Office which has been already created, and which I wish to utilize. In addition to that consideration there is the fact of the passing of the Judicature Act of last year, the principle of which is to amalgamate all the principal Courts of the Kingdom into one great Court—it would be somewhat at variance with the provisions of that Act to establish a fresh Court outside. But I am not without hope that if this measure turns out successful, we may have at some future period a conveyancing Judge whose Court would form a part of the Supreme Court under the Judicature Act, and be charged with the duty of registering titles. But I take the Land Office as it stands, and the Registrar at the head of that Office will be the Registrar under this new Bill. He will act under the Supreme Court of Judicature, or under whatever Judge of that Court to whom the duty may be assigned of dealing with any questions which may be referred to the Court under the measure which I am about to introduce. I must say a word

*The Lord Chancellor*

on a point respecting which a question will be asked—"Are you going to have local registries, or is the London Registry Office to do the work of the whole Kingdom?" That appears to me to be a question of some difficulty. It is one on which there is a great deal to be said on both sides. It sounds very plausible to say that, on the same principle which makes us hold that justice should be brought home to every man's door; so also the law relating to dealings with property should be brought as close as possible to the property dealt with—and that, especially in the case of small properties, it is very desirable that there should be a local office for doing the business on the spot. But, on the other hand, you must bear in mind what is to be said on the other side. I do not suppose that the strongest advocate of local registries would go further than to suggest that there should be a registry in every county of England. But take the case of a large county, 60 or 80 or 100 miles long, and have but one office in each county. The consequence will be that persons will often have to go as great a distance to the registry in their own county as they would to come to the Chief Registry in London, and perhaps the communications, as to locomotion, would be more difficult. In addition to that, you must bear in mind that while the local registries are in operation a very large amount of dealings with property will be going on in London. Dealings of this kind will always go on to a very large extent, because of the greater facilities for them that are to be found in the Metropolis. The consequence will be that persons from London will have to go down to the country and make examinations at the local registries. What I propose to do is to proceed tentatively. I propose that the London Registry should have within its own office, district divisions, and that it shall commence and continue arranged according to districts. Should it be found that for any district of the country the transaction of business is so large as to afford a good prospect that a registry established in that district would be self-supporting, there will be a power vested in the proper authority to order the establishment of a local registry in that part of the country. I believe that arrangement will meet the first requirements of the case. I have now gone

through the questions likely to be asked upon the subject of the Land Titles and Transfer Bill, to which I ask your Lordships to give a first reading to-night.

My Lords, I have two other Bills to introduce to your Lordships' notice, which are connected with this subject, but are of a more limited scope than the one to which I have been referring. One of them deals with the question of the Limitation of Claims, Actions, and Suits regarding real property. By it I propose an alteration of the Act 3 & 4 *William IV.*, which at present regulates the limitations in respect of suits relating to real property. There are various provisions in that Act by which these limitations as to the bringing of suits in respect of real property extend to 20 years, while in some cases the period is 10 years. It has been for some time felt as a crying evil that these periods should be so long. They are felt to be unnecessarily long; but it is very hard to say what should be the periods of limitation. I propose to take the periods which have been adopted in recent legislation in regard to India, to shorten the period of 20 years in the Act of *William IV.* to 12 years, and the period of 10 years to 6. The limitation in respect of succession claims, which stands at 40 years, I propose should not go beyond 30 at the utmost. The third of the Bills relates to Vendors and Purchasers. It is wholly irrespective of the question of the registry of titles—its object is to facilitate transactions between vendor and purchaser. By it I propose that there should be a change in some parts of the laws, which at present are felt to be in a very unsatisfactory state. I propose that if there be no stipulation to the contrary in the contract, 40 years' title shall be sufficient to show. I also propose that the purchaser shall not be entitled to attested copies of deeds except at his own expense; that the purchaser of a leasehold should not be entitled to call for the lessor's title; that a purchaser who can get an equitable title to the production of deeds should not have a right to call for the legal covenant; that the purchaser should be obliged, in the absence of any stipulation to the contrary, to pay the expenses of deeds and covenants for which he asks; that the recital of facts and documents 20 years old, and of statutory declarations 20 years old should be admitted as sufficient evidence; and that

an executor or administrator where the mortgage has been paid off should have power to convey the legal fee on the mortgage property. These are all matters in which great expense and difficulty are now incurred, and I propose to remove them in all cases where there is no stipulation to the contrary. Both these latter Bills are independent of the Registry Bill, though, of course, connected with the transfer of land. I commend all three measures to your Lordships' attention, and I will venture to hope that they may find favour with your Lordships and become the law of the land. I do so in view of the interests concerned, and because I believe that by passing them your Lordships will respond to an expression of hope contained in Her Majesty's gracious Speech. The present system has long been a discredit to our law, and I would ask your Lordships to abolish and remove it.

Then the—

REAL PROPERTY LIMITATION BILL. [H.L.]  
(NO. 16.) A Bill for the further Limitation of Actions and Suits relating to Real Property: Also,

LAND TITLES AND TRANSFER BILL. [H.L.]  
(NO. 17.) A Bill to simplify Titles and facilitate the Transfer of Land: And also,

VENDORS AND PURCHASERS OF LAND BILL. [H.L.] (NO. 18.) Were severally presented by The LORD CHANCELLOR.

LORD SELBORNE: My Lords, among the consequences that have resulted from the late change of Government, there is none I am less disposed to regret than that the conduct of these measures through Parliament should have fallen into the hands of my noble and learned Friend; because, if any man in this country has given long and close attention to these subjects, and thoroughly understands them, it is certainly my noble and learned Friend. In one sense, the subject is peculiarly his own, because it was his fortune in 1859 to be the first to lay on the Table of the other House of Parliament practical and well-developed measures applicable to these subjects. I was thankful to my noble and learned Friend last Session for the approval he then expressed of the leading principles of my Bills, and also for the suggestions he then made, as to the course which it would be wise to pursue with

a view to success in a future Session; and I am glad—but not at all surprised—to hear the approbation he has so kindly expressed of the choice I made of the gentleman who discharged the very important duty of revising the Bills which I then introduced. I believe the opinion my noble and learned Friend has expressed on that point will be generally endorsed by all acquainted with the subject. No man could have been better fitted to discharge that duty than the present Vice Chancellor (Sir Charles Hall), and I am sure my noble and learned Friend will admit that the duty could not have been better fulfilled. I am glad to avail myself of this opportunity to thank the learned Vice Chancellor for the assistance he rendered me in respect to this subject. This is not the time, nor, indeed, is it necessary, to go into the points of detail which my noble and learned Friend was quite right to explain, and on which there is some variance between the Land Transfer Bill of my noble and learned Friend and that which I laid upon the Table of your Lordships' House last year. In the Bill of last year there were three points which I thought cardinal ones:—The first was that of facility for the registration of all possessory titles, as well as for those which might be established as infeasible. The second was power to relax the strictness of the present requirements for a marketable title, when the title is to be accepted either as absolute altogether, or for a limited period of time. The third was the introduction of compulsory registration after a reasonable lapse of time from the passing of the Act. On all these points I am happy to think that, as between my Bills and those of my noble and learned Friend, there is not anything that deserves to be called a substantial difference. It may be that in the mode in which I proposed to relax the strictness of the requirements for a marketable title I erred on the side of too much laxity. My noble and learned Friend proposes to define more exactly the extent to which relaxations will be allowed; and I am perfectly willing to consider whether his may not be a better way of accomplishing the object than mine. I am sure, at all events, that the proposals of my noble and learned Friend would be a very valuable improvement on the existing law. With respect to compulsion, the difference

between my noble and learned Friend and myself is the difference of a single year, and I think I may pass that over. Upon the subject of local registration, I quite concur in the view expressed by my noble and learned Friend. There can, I think, be no doubt that as the measure works it will be found that local facilities will become necessary, and will require to be afforded; but my present impression is that it is a safe principle, not only as to local registries under this measure, but also as to other matters, when it is important to afford reasonable local facilities, to measure the reasonableness by the cost; and where the amount of business will probably be sufficient to pay its own expenses, in such a case a very strong claim may be established for local facilities. On the other hand, where the amount of business is so trifling that the establishment of local registries might tend to throw a serious charge upon the public at large, then I think the burden of proof will lie very strongly upon those who would advocate their establishment. I am glad also to find that my noble and learned Friend has accepted the principles of the Bill of last Session with respect to limitation, although he has adopted the periods of 12 years and 6, instead of 10 and 5, which I proposed last year. There may, no doubt, be some reasons in favour of the slightly longer periods which my noble and learned Friend proposes; but, at all events, his proposal substantially accomplishes the main object I had in view. The third Bill, which is quite new, belongs altogether to my noble and learned Friend. So far as I understand its provisions, it aims at accomplishing a desirable object, and I have no doubt that it will give rise to little difference of opinion in your Lordships' House. I am happy to think that we now have a real opportunity of taking a very great step—I hope a final and adequate step—towards an object of the greatest possible importance to the public; one which will relieve our commercial and business transactions, in dealings with land, from difficulties, delays, and expenses, which, I venture to say, are both a very great annual pecuniary loss to the country at large, and a disgrace to our present system of jurisprudence.

LORD HATHERLEY said, he was happy to think, from the manner in which the Bills had been introduced and received, that the time had at length arrived for which many who had grown gray in the profession had ardently longed, in which some improved system of conveyancing would be established and some intelligible means of placing title on record afforded. The extreme importance of this step, both as regarded the increased value of property to those who held it and to those who might desire to raise money upon it, could not be exaggerated. An enormous advantage would also arise to those who desired to acquire small parcels of land, but who, owing to the present state of the law, were absolutely precluded from doing so, except through the medium of joint stock companies formed for the purpose of purchasing large estates with a view of selling them again in small lots. He would only mention one instance of the great expense of acquiring small portions of land. A certain company purchased a cottage and a couple of acres of land on which it stood, and the cost of the conveyance exceeded the purchase-money—amounting to about £130. From the second Bill mentioned by his noble and learned Friend, whereby the time for making claims was further limited, a material advantage would be derived by all owners of property, and it would besides tend to promote the success of the larger measure. Up to the present time it was found most difficult to create a feeling in favour of the registration of title, owing to the long period of years which should elapse before the benefit to be derived from it could be completely felt. Few people cared for an advantage the full effects of which could not be enjoyed until a period of 60 years had elapsed. He remembered one case in which the assignees of a bankrupt disposed of property which had been enjoyed for 58 years, and in which case the purchaser lost his money. The property in question was derived from a person who had made a will believing himself to be owner in fee-simple. The property, however, as it turned out, was held for three lives, and the last of the lives dropped within two years of the purchase from the assignees. The length of time to which he had referred had, beyond doubt, operated as an immense obstacle in the

way of a general registration of title. The details of the Bill would be carefully considered in Committee, but meanwhile he heartily concurred with his noble and learned Friend (Lord Selborne) in wishing them all possible success.

LORD ROMILLY was understood to say that he anticipated the best possible consequences from the operation of the Bills, and to suggest that they should be referred to a Select Committee.

Bills read 1<sup>a</sup>; and to be *printed*.

House adjourned at half-past Six o'clock, 'till To-morrow, half-past Ten o'clock.

## HOUSE OF COMMONS,

*Thursday, 26th March, 1874.*

MINUTES.]—NEW MEMBER SWORN—Thomas Henry Clifton, esquire, *for* Lancaster (Northern Division).

SELECT COMMITTEE—Committee of Selection, Mr. Thomson Hankey *added*; Privileges, *nominated*.

*Ordered*—*First Reading*—Bills of Sale Act (1854) Amendment \* [48]; Coroners (Ireland) \* [49]; Inkeepers Liability \* [50].

*First Reading*—Irish Land Act (1870) [Extension \* [47].

*Second Reading*—Middlesex Sessions [29].

*Committee*—*Report*— (£7,000,000 Consolidated Fund \*; East India Loan \* [28].

*Third Reading*— (£1,422,797 14s. 6d.) Consolidated Fund.\*

## INDIA—EAST INDIA REVENUE ACCOUNTS—THE FINANCIAL STATEMENT.—QUESTION.

MR. SALT asked the First Lord of the Treasury, Whether he will be able to arrange that the discussion upon the statement of the Financial Affairs of India shall take place before the month of July?

MR. DISRAELI, in reply, said, it would no doubt be desirable that the statement should be made at an earlier period of the Session than it had been heretofore; but in the present undeveloped state of Public Business he could not enter into any engagement on the subject.

## EGYPT—THE SUEZ CANAL—THE INTERNATIONAL TREATY.—QUESTIONS.

MR. GOURLEY asked the Under Secretary of State for Foreign Affairs,

To state the nature of the International Treaty recently made at Constantinople relative to the Suez Canal Dues on Merchant Shipping; also, what provision has been made, if any, for the use of the Canal by ships of war in the event of this or any other maritime Power having hostilities with the Turkish Government?

**MR. BOURKE:** There has been no International Treaty of the nature alluded to. An International Commission of the Maritime Powers was convened by the Sublime Porte in 1873. Those Powers sent their Commissioners. Their deliberations commenced in October and ended in December last. The result of them is contained in a Report signed by all the Commissioners on the 18th of December. This Report will be laid before Parliament immediately, and the Porte has called upon the Khedive to see that the company carry out the recommendations of the Commission. The question relating to the use of the canal by ships of war did not come before the Commission, who were restricted to the consideration of canal dues and international tonnage.

**MR. GOURLEY** asked, Whether it is the intention of Her Majesty's Government to bring the question of the navigation of the Suez Canal by ships of war before the Turkish Government?

**MR. BOURKE** said, that Her Majesty's Government had no such intention at present.

#### OCEAN HIGHWAYS.—QUESTION.

**MR. ANDERSON** asked the President of the Board of Trade, If he is aware that the Cunard Steam Company have arranged for their own vessels on the Atlantic, separate sailing tracks eastward and westward in order to avoid collisions; if he is aware that the United States Government have it in view to endeavour to arrange a general system of Ocean Highways; and, if Her Majesty's Government is prepared to co-operate with the United States in this object, or to take any action of their own to bring it about?

**SIR CHARLES ADDERLEY:** The Cunard Company have some time since issued a notice for an ocean track for their steamers across the Atlantic, fixing a certain distance of latitude on a particular meridian for the outward and

homeward bound to keep respectively. The United States Government have taken no steps for a general system; but a private Member of Congress has introduced a Bill for appointing a Commissioner for an International Conference, and that Bill has been referred to a Committee. It will be necessary for Her Majesty's Government to learn the opinion of the United States Government on this Motion, and of the various shipowners interested, before taking any steps in co-operation.

#### IRELAND — DISTURBANCE AT COAL-ISLAND, TYRONE.—QUESTION.

**MR. W. JOHNSTON** asked the Chief Secretary for Ireland, What course the Government intend to take in the case of certain parties returned for trial for attacking a procession of Sunday school children at Coalisland, County Tyrone, on the 24th of June last; and also in regard to the Protestants, three times brought up before the magistrates by order of the late Government, when, on each occasion, summonses were refused to be granted against them for a defence of the children, rendered necessary by the non-action of the constabulary?

**SIR MICHAEL HICKS-BEACH**, in reply, said, the prosecution of the parties referred to in the first part of the Question had been adjourned until the next assizes, and therefore the case was still pending. With regard to the whole matter to which the Question related, the informations were at present before the Attorney General for Ireland, and were under his careful consideration.

#### BENEFIT BUILDING SOCIETIES.

##### QUESTION.

**MR. GOURLEY** asked the Secretary of State for the Home Department, If he intends this Session to introduce a Bill to amend and codify the Laws regulating Benefit Building Societies; and, if so, whether such Bill will be independent of or comprise a part of that intended to be introduced for the regulation of Friendly Societies?

**MR. ASSHETON CROSS**, in reply, said, that since that Question had been put upon the Paper, Notice had been given by the hon. Member for Finsbury (Mr. Torrens) that he would introduce a Bill on Monday next on that subject. The Government, as the House were aware, had undertaken to deal with

Friendly Societies this year, and until their Bill was in a more mature state than it was at present, it was impossible for him to give a definite answer whether they would themselves take in hand the question of Building Societies this Session. But if they did, it would be independent of the measure they would bring in with respect to Friendly Societies.

INDIA—EAST INDIA FINANCE—APPOINTMENT OF A SELECT COMMITTEE.  
QUESTIONS.

MR. E. T. SMITH asked the Under Secretary of State for India, Whether it is the intention of Her Majesty's Government to move for the appointment of a Committee on Indian Finance to continue the investigations of that which sat during the last Parliament?

MR. W. M. TORRENS said, he wished to put another Question of which he had given private Notice. In 1871 a Select Committee was appointed, consisting of 32 Members, of whom 13 had now ceased to be Members of the House. Under these circumstances he would ask whether Her Majesty's Government would consider the expediency of appointing a Royal Commission, under the direction of the Viceroy in Council, to inquire from Native witnesses in India into the present system of taxation and land-holding in that portion of the Empire?

LORD GEORGE HAMILTON, in reply, said, that the Committee alluded to by the hon. Member sat for three years, and was composed of 31 Members. Of those 31 Members three had, owing to recent Ministerial changes, accepted posts which would not enable them to give their personal attendance on the Committee, even assuming that it was possible to re-appoint it. Of the remaining 28 no fewer than 13 had unfortunately lost their seats at the General Election, among them being the well-known names of Mr. Ayrton, the Chairman of the former Committee, Mr. Fawcett, Mr. Eastwick, Mr. Crawford, and Sir Charles Wingfield. Under those circumstances it was not possible for the Government to re-appoint a Committee, a large number of whose Members were no longer Members of the House. At the same time, it was under the consideration of Her Majesty's Government

whether or not it would be advisable to appoint a smaller Committee with a more limited reference, directing their attention to definite and tangible points connected with East Indian finance. In answer to the Question put to him by the hon. Member for Finsbury he had to say that Her Majesty's Government did not think it would be advisable to issue a Royal Commission to take Native evidence, as the hon. Gentleman had suggested.

GAS COMPANIES—THE PRICE OF GAS.  
QUESTIONS.

MR. GOLDNEY asked the President of the Board of Trade, If he will lay upon the Table of the House, a Copy of the opinion of the Law Officers of the Crown, to the effect that the Board of Trade Commissioners, in settling the price of Gas to be paid by the public, are precluded from inquiring into the mode in which the Gas Companies have raised or expended their capital?

SIR CHARLES ADDERLEY: There is no such Opinion of the Law Officers as the Question implies. There is an Opinion given by Sir John Karlake, Sir Richard Bagallay, and Mr. Round, not as Law Officers, but as counsel, on a question referred to them as to the powers of the Commissioners appointed by the Board of Trade, on the application of the Imperial Gas Company in 1869, to revise the scale of illuminating powers. I am about to present Papers giving the Minutes of the Proceedings of the Commissioners for 1873 and 1874, as soon as they are concluded, which will include the Opinion referred to.

WEIGHTS AND MEASURES ACTS — INSPECTION BY THE POLICE.

QUESTION.

MR. GOLDNEY asked the President of the Board of Trade, If he intends introducing a Bill this Session, making provision for the adjustment and verification of Weights and Measures by persons other than the Police, in accordance with the suggestions in the Standard Commissioners Report?

SIR CHARLES ADDERLEY, in reply, said, the Report was under the consideration of the Government, and he would state if they had any intention of introducing a Bill on the subject after Easter.



PARLIAMENT—BUSINESS OF THE  
HOUSE.—QUESTION.

MR. WHITWELL asked the right honourable Member for Chester, Whether he intends to re-introduce this year his proposed Resolutions of 1872, for the conduct of the Business of the House of Commons?

MR. DODSON, in reply, said, the reform of private Business could be best dealt with by the Government, inasmuch as they possessed machinery and information which no individual Member could obtain. The House unanimously agreed to a Resolution to that effect in 1872. He was not without hope, after what fell from the Irish Secretary, on a former night, that the present Government would take up the question, and he was disposed to wait to see if they would do so; but he could assure his hon. Friend that he was by no means disposed to lose sight of the matter.

ARMY—EASTER MONDAY REVIEW.  
QUESTION.

MR. HAYTER asked the Secretary of State for War, Whether it is his intention, on the occasion of the Easter Monday field-day, to order out the Regular Troops of Engineers, Artillery, Cavalry, and Infantry comprised within the Home District Command; or, if he will state to the House what proportion, if any, of such Troops of all Arms will be employed with the Auxiliary Forces on that occasion? On the occasion of the last Easter Monday Review, Mr. Secretary Cardwell had permitted the attendance of part of the London garrison—namely, three Battalions of Foot Guards, one regiment of Life Guards, the Blues, and the Hussar Regiment then quartered at Hounslow.

LORD EUSTACE CECIL, in reply, said, that it was not the intention of the General Officer commanding the district to take any Regular Troops for the Easter Monday Review, as he thought the Volunteers would be quite sufficient to fill up the limited space of ground at their disposal.

POST OFFICE — CHARGES FOR TELE-  
GRAPHIC MESSAGES.—QUESTION.

MR. CHARLES LEWIS asked the Postmaster General, Whether the rates

of charges for delivery of telegraphic messages have been fixed by the Postmaster General and the Lords of the Treasury, pursuant to section 15 of "The Telegraph Act, 1868;" and, whether a Copy of the Regulations has been laid before Parliament, pursuant to section 23 of that Act?

LORD JOHN MANNERS, in reply, said, that the charges for delivery of messages had been regulated by the Telegraph Act of 1868, and it was not necessary for the Postmaster General or the Lords of the Treasury to frame any regulations on the subject.

MIDDLESEX SESSIONS BILL.—[BILL 29.]  
(*Mr. Raikes, Mr. Secretary Cross, Sir Henry Selwin-Ibbetson.*)

SECOND READING.

Order for Second Reading read.

SIR HENRY SELWIN-IBBETSON, in moving that the Bill be now read a second time, stated that in accordance with 7 & 8 *Vict.* c. 71, under which the Assistant Judge was appointed, a salary was paid to him out of the Consolidated Fund of £1,200 a-year. He was allowed, besides performing his duties as a Judge, to practise as a barrister, and by 14 & 15 *Vict.* c. 55, a second Chairman was allowed to be appointed, with the view of facilitating the transaction of the business. That second Chairman was also allowed to practise as a barrister; but under 22nd & 23rd *Vict.* c. 4, a fresh arrangement was made, the County agreeing to pay a sum of £300 in addition to the £1,200 paid out of the Consolidated Fund, the Assistant Judge being required to give up his practice as Serjeant-at-law or as a barrister. But a proviso was added terminating the whole arrangement upon the termination of the appointment of the Judge then appointed. With the recent resignation of Sir William Bodkin, therefore, the question arose of providing a salary for his successor. The present Bill would give effect to an arrangement by which one moiety of the salary should be charged on and paid out of the Consolidated Fund of the United Kingdom, and the other moiety should be charged on and paid out of the county rate of the county of Middlesex. The Treasury had also agreed to pay to a Deputy a fixed sum of five guineas a day whenever the Assistant Judge became inca-

pacitated by illness or other reasonable cause from attending to the discharge of his duties. The Bill had been most carefully considered by the Treasury and the Home Office, and it appeared to him to be a fair settlement of the question. He hoped, therefore, the House would assent to the second reading.

*Motion agreed to.*

Bill read a second time, and committed for To-morrow.

#### MUNICIPAL PRIVILEGES (IRELAND)

BILL.—[BILL 33.]

(*Mr. Butt, Sir John Gray, Mr. Bryan, Mr. P. J. Smyth.*)

#### SECOND READING.

Order for Second Reading read.

MR. BUTT proposed to adjourn the second reading of the Bill until Wednesday, the 15th of April. He was quite ready to move the second reading at once; but he understood that the right hon. Baronet the Chief Secretary wished for time to consider the Bill. It was, however, scarcely fair to ask him to postpone the Bill until July, when he might lose it altogether.

MR. VANCE said, he hoped that as the Irish Members opposing the Bill were Members of the Irish Church Synod, which would meet shortly in Dublin, the hon. and learned Member would postpone the Bill for another week.

SIR MICHAEL HICKS-BEACH said, he thought the proposal of the hon. and learned Member for Limerick (Mr. Butt) a fair one, and he hoped the House would assent to it. The hon. and learned Member had treated him with courtesy, and the postponement he asked for was very reasonable.

Second Reading deferred till Wednesday, 15th April.

#### PRIVILEGE—COMMITTAL OF A MEMBER BY THE COURT OF QUEEN'S BENCH FOR CONTEMPT.

#### NOMINATION OF SELECT COMMITTEE.

*Moved*, That the Select Committee appointed to consider and report whether any of the matters referred to in the Letter of the Lord Chief Justice to Mr. Speaker [March 19] demand the further consideration of the House do consist of the following Seventeen Members.—(*Mr. Disraeli.*)

Mr. Disraeli, Mr. Goschen, Mr. Solicitor General, Mr. Knatchbull-Hugessen, Mr. Spencer Walpole, Mr. Whitbread, Mr. Stephen Cave, Sir Charles Forster, Sir Seymour Fitzgerald, Sir Henry James, Viscount Holmesdale, Sir Edward Colebrooke, Sir Graham Montgomery, Mr. Massey, Viscount Orichton, Mr. Attorney General, and Mr. Roebuck.

MR. WHITBREAD said, he wished to bring under the consideration of the right hon. Gentleman opposite (Mr. Disraeli) one or two points in connection with this subject, the more particularly as the Government was mainly responsible for the appointment of the Committee of Privilege. If that House was to appoint a Committee of Privilege for every case that arose it might find itself landed in great inconvenience and great difficulty; and he wished to suggest to the House, and especially to the Prime Minister, that, as the Government was responsible for the appointment of a Committee of Privileges at the beginning of every Session, they should before next Session consider whether it would not be better to appoint a Standing Committee of Privileges, which would be able to deal promptly with any case that might arise. It was evident that a question of Privilege might arise demanding the immediate attention of the House. It was not very seemly that so much delay should have occurred in the present instance, although, doubtless, it was unavoidable under the circumstances. But further questions of Privilege might arise in which party considerations were concerned, and then it might be extremely difficult for the right hon. Gentleman to name a special Committee which would give satisfaction. In his opinion, it would be much better that the Committee should be appointed at a time when there was no question before the House, for such a Committee would be more likely to inspire confidence than one nominated after a case had arisen for inquiry. He did not wish the right hon. Gentleman to give a definite answer now; but he thought himself entitled to ask the right hon. Gentleman to take his suggestion into consideration.

*Motion agreed to*; Power to send for persons, papers, and records; Five to be the quorum.

# BILLS OF SALE ACT (1854) AMENDMENT BILL.

On Motion of Mr. LOPES, Bill to amend the Act of the seventeenth and eighteenth Victoria, chapter thirty-six, relating to Bills of Sale, ordered to be brought in by Mr. LOPES, Mr. WATKIN WILLIAMS, and Mr. CHARLES LEWIS.

Bill presented, and read the first time. [Bill 48.]

# CORONERS (IRELAND) BILL.

On Motion of Mr. VANCE, Bill to amend the Laws relating to the appointment, duties, and payment of County Coroners and Expenses of Inquests in Ireland, ordered to be brought in by Mr. VANCE, Sir JOHN GRAY, and Mr. DOWNING.

Bill presented, and read the first time. [Bill 49.]

# INNKEEPERS LIABILITY BILL.

On Motion of Mr. WHEELHOUSE, Bill to abolish certain liabilities now attaching to Innkeepers, ordered to be brought in by Mr. WHEELHOUSE, Mr. LOCKE, and Colonel MAKINS.

Bill presented, and read the first time. [Bill 50.]

House adjourned at a quarter  
after Five o'clock.

# HOUSE OF LORDS,

Friday, 27th March, 1874.

MINUTES.]—TOOK THE OATH—Several Lords.  
PUBLIC BILLS—*First Reading*—Consolidated Fund (£7,000,000)\*; East India Loan\* (19).  
*Second Reading*—Attorneys and Solicitors\* (6).  
*Second Reading*—Committee negatived—*Third Reading*—(£1,422,797 14s. 6d.) Consolidated Fund\*.

# CONSOLIDATED FUND (£1,422,797 14s. 6d.) BILL.

Read 2<sup>a</sup> (according to order); Committee negatived: Then Standing Orders Nos. 37. and 38. considered (according to order), and dispensed with: Bill read 3<sup>a</sup>, and passed.

# CONSOLIDATED FUND (£7,000,000) BILL.

Brought from the Commons; read 1<sup>a</sup>; to be read 2<sup>a</sup> To-morrow; and Standing Orders Nos. 37. and 38. to be considered in order to their being dispensed with: (The Lord President).

# EAST INDIA LOAN BILL.

Brought from the Commons; read 1<sup>a</sup>; to be printed; and to be read 2<sup>a</sup> To-morrow; and Standing Orders Nos. 37. and 38. to be considered in order to their being dispensed with: (The Marquess of Salisbury.) (No. 19.)

THE DUKE OF RICHMOND: My Lords, I beg to move that the House adjourn till to-morrow at half-past 12

o'clock. It is necessary that we should sit to-morrow to pass certain measures which it is essential we should pass before the Recess. I may also mention we propose to take the East India Loan Bill to-morrow. It is of the greatest consequence that this Bill should be passed rapidly through Parliament, and therefore I shall move the suspension of the Standing Orders to enable your Lordships to pass it through all its stages. I have the less hesitation in proposing the adoption of this course because noble Lords have already had an opportunity of stating their views upon the question when my noble Friend the Secretary of State for India made the Motion the other night. I hope there will be no objection to the adoption of this course, though it may possibly deprive noble Lords of speaking on the subject at any great length.

Motion agreed to.

House adjourned at Six o'clock,  
till To-morrow, Half-past  
Twelve o'clock.

# HOUSE OF COMMONS,

Friday, 27th March, 1874.

MINUTES.]—NEW MEMBER SWORN—John Ramsay, esquire, for Falkirk Burghs.  
SELECT COMMITTEE—Turnpike Acts Continuance, appointed and nominated.  
SUPPLY—considered in Committee—Committee—R.F.  
Ordered—*First Reading*—Holyhead Old Harbour Road\* [51]; Cattle Disease (Ireland)\* [52]; Public Health (Ireland)\* [53]; Municipal Boroughs (Auditors and Assessors)\* [54].  
Committee—Report—Middlesex Sessions\* [29]  
*Third Reading*—(£7,000,000) Consolidated Fund\*; East India Loan [28], and passed.

# METROPOLIS—PARLIAMENT STREET— THE NEW PUBLIC OFFICES.

## QUESTION.

MR. GOLDSMID asked the First Commissioner of Works, Whether the space now enclosed by a hoarding in front of the new buildings will be thrown into Parliament Street?

LORD HENRY LENNOX, in reply, said, when he came into office he found the point had been carefully considered by his predecessor, with whose views upon it he agreed. The greater part of

the space in front of the new Home and Colonial Offices would be thrown into Parliament Street, and a certain portion would be reserved. The portion reserved had been reserved under his direction and that of Captain Galton, the director of the works, and under the sanction of Sir Gilbert Scott, the architect.

#### ADULTERATION ACT.—QUESTION.

MR. MUNDELLA asked the Secretary of the Local Government Board, What steps are being taken to prevent the importation of adulterated articles of food into this country, and to relieve honest traders from their liability to conviction under the Act of last year for the sale of articles adulterated by the foreign producer, and on which Customs Duties have been paid?

MR. SCLATER-BOOTH: The subject of the Adulteration Act has been much under my consideration since I have been at the Local Government Board, and a deputation respecting it has waited on the Home Secretary and myself this afternoon. If the hon. Gentleman will renew his Question immediately after Easter, I shall be able to give him an answer.

#### EXEMPTION OF TIN AND COPPER MINES RATING.—QUESTION.

SIR JOHN ST. AUBYN asked the President of the Local Government Board, If Her Majesty's Government propose to legislate this Session to abolish the exemption from liability to local rates of tin and copper mines in England and Wales?

MR. SCLATER-BOOTH: The hon. Baronet is aware that the rating of the mines in which he is interested forms part of a much larger question, and I must ask him to excuse me from giving him a final answer till after Easter.

#### THE NEW COURTS OF JUSTICE. QUESTION.

MR. GREGORY asked the First Commissioner of Works, If he will lay upon the Table of the House a Copy of the Contract for the New Courts of Justice? He wished the House to be informed at what price the contract was obtained, in what period the work was to be carried

out, and what guarantee they had for the due performance of the contract.

LORD HENRY LENNOX, in reply, said, that it would be injurious to the public service and unjust to the contractor to produce the document in question; but if his hon. Friend called upon him at his Office and let him know specifically what he required he would endeavour to meet his views.

#### PUBLIC HEALTH (SCOTLAND) ACT— COUNTY CONSTABLES.—QUESTION.

SIR WYNDHAM ANSTRUTHER asked the Secretary of State for the Home Department, If he will reconsider the amended rules and regulations for the government of county constables, issued from the Home Office by the late Secretary of State for that Department, which relate to the employment of constables on other than police duties, and cancel the same, so as to enable the police to aid the authorities and officers acting in the execution of the Public Health (Scotland) Act, as they did prior to the issuing of the said rules and regulations?

MR. ASSHETON CROSS, in reply, said, the matter was under the consideration of the Government, and he was at present in communication with the Lord Advocate on the subject.

#### MERCANTILE MARINE—CASUALTY TO PILGRIMS.—QUESTION.

MR. WHITWELL asked the President of the Board of Trade, If the report which has appeared in the newspapers be correct, that a large number of pilgrims were washed overboard from a ship in the Mediterranean belonging to Liverpool; and whether the accident was owing to the overcrowding of the ship; and, if he has not received information on the subject, whether he will make inquiries into the truth of the statement?

SIR CHARLES ADDERLEY: The Board of Trade have received depositions from Liverpool relating to the reported occurrence on board a ship which, though British, was trading between foreign ports. Inquiry has already been ordered to be held at Liverpool, and some of the papers are with the office solicitor. The number of lives lost was 36.

## CRIMINAL LAW—FENIAN PRISONERS.

## QUESTION.

MR. ANDERSON asked the Secretary of State for the Home Department, Whether any of the remaining Fenian prisoners were implicated in the murder of the Manchester policeman, or in the Clerkenwell outrage, or in any other non-political crime; and if the time has not come when he might safely recommend that the Royal clemency be extended to all those prisoners whose offence is distinctly political, even if aggravated by their having been in Her Majesty's service?

MR. ASSHETON CROSS: I cannot undertake to place any exact interpretation upon certain terms used in the Question of the hon. Member—namely, what is a non-political crime and what is an offence distinctly political. I will, therefore, confine myself to stating the number of prisoners now undergoing sentence. There are two prisoners, undergoing penal servitude for life, connected with the murder of the policeman at Manchester; there are no prisoners undergoing sentence connected with the Clerkenwell outrage; there are two prisoners undergoing sentences of 15 and 7 years respectively for treason-felony in supplying arms to the Fenians at the time of the outbreak, one of them being their specially accredited agent. There are, in addition, 11 soldiers under sentence for life—3 in England, and 8 in Australia. Two of these had been sentenced to death, but that sentence was commuted to penal servitude for life. There are also three more soldiers in Australia for shorter sentences—one for 15 years, two for 10 years—who are now, probably, on tickets-of-leave; and there are two prisoners in Ireland under sentences of 20 years and 10 years respectively for shooting at the Constabulary. It is not the intention of the Government to interfere with the course of law.

## METROPOLIS—HYDE PARK CORNER.

## QUESTION.

MR. GOLDSMID asked the First Commissioner of Works, Whether he has adopted either of the various plans for a new road from Hamilton Place to Grosvenor Place, whereby the constant stoppage of the traffic at Hyde Park Corner may be avoided?

LORD HENRY LENNOX, in reply, said, the present Government had come to no decision in the matter, and had no plan before them. He found that a plan had been laid before his predecessor in office, the right hon. Member for Clackmannan (Mr. Adam), and that he came to a decision with respect to it, which, however, was not adopted by the Government of which he was a Member. He had no doubt the right hon. Gentleman would be able to give more correct information on the subject than he possessed.

MR. ADAM said, he had given the fullest consideration to the matter during the Recess, when a plan had been proposed by the Metropolitan Board of Works for carrying a road from Hamilton Place to Constitution Hill, with branches opening towards Grosvenor Place and Buckingham Palace. He brought the plan under the consideration of the late Government, but they felt it was too great a question to take up at the time. He might state that the Duke of Westminster had taken very great interest in the subject, and was disposed to deal in the most liberal manner with any proposals which might be made. After the plan to which he referred had been submitted to his notice, he had an interview with the agent and surveyor of the Duke, and they had recommended a plan which would, to some extent, also interfere with the use of the Park. He at the same time ventured to suggest two plans, which he might, perhaps, now submit to the notice of his hon. and gallant Friend the Chairman of the Metropolitan Board (Colonel Hogg). The first was that the roadway at Piccadilly should be turned before reaching the Archway, and that the road should be made to pass between the Archway and the Green Park, leaving the Archway standing out in an isolated position with a road on each side. That would effectually relieve the traffic at Hyde Park Corner. It would necessitate a new entrance to Constitution Hill and a new gateway, and would be rather expensive. There was a much simpler plan which he would suggest, and which could be carried out in a few weeks. Between the Archway and the roadway in Piccadilly there was a very broad pavement, and also a piece of garden ground. The pavement was broader than was necessary for the foot-passenger

traffic, and this might be thrown into the roadway at Piccadilly, making a pavement for foot passengers where the present garden ground was, and doing away with the bit of gravel foot-path at the corner of Grosvenor Place—a place which would greatly relieve the traffic, although it was not one which could be recommended as a permanent improvement.

COLONEL HOGG said, he would be glad to give his best consideration to the suggestions of his right hon. Friend if he were furnished with the requisite plans.

#### JUDICATURE COMMISSION.

##### QUESTION.

MR. WHITWELL asked the Secretary of State for the Home Department, When the additional Report of the Judicature Commission will be presented; and also when the special Report of the Judicature Commission upon Tribunals of Commerce will be ready for issue to Members of Parliament?

MR. ASSHETON CROSS, in reply, said, he had hoped that the special Report of the Commission on Tribunals of Commerce would be delivered that afternoon. The moment it was received it would be laid on the Table. The other Report to which he understood the Question to refer would, he expected, be in his hands in two or three weeks, and that also he should be glad to produce.

#### ARMY—MILITIA FINES.—QUESTION.

MR. NAGHTEN asked the Secretary of State for War, How it is proposed to apply the fines for drunkenness and absence in the Militia, of which only £22 3s. 6d. are accounted for in the Appropriation Accounts of 1872-3 out of £1,650 5s. 11d.?

MR. GATHORNE HARDY, in reply, said, he found it had been decided before he came into office that a committee of officers should be appointed to consider how the surplus in question should be applied.

#### CRIMINAL LAW—RELEASE OF THE COUNTESS DE CIVRY.—QUESTION.

MR. JONES asked the Secretary of State for the Home Department, If he will explain the circumstances of the Countess de Civry, who was recently convicted for obtaining goods under false pretences, receiving an uncon-

ditional pardon for the offence and being set at liberty?

MR. ASSHETON CROSS, in reply, said, the Countess de Civry had been tried before Mr. Commissioner Kerr on an indictment containing 12 counts. On 11 of those counts the Commissioner found that there was really no evidence to go to the jury. The 12th count was one of obtaining goods under false pretences by pretending to occupy a house in Queensberry Place, and the learned Judge was so dissatisfied with the verdict that he decided not to pass sentence until full inquiries had been made. These inquiries having been made, it turned out that the statement alleged had nothing to do with the reasons which led the shopkeeper to supply the goods, the fact being that there had been a running credit between the parties for some time. Under these circumstances the case had fallen through.

#### EAST INDIA LOAN BILL—[BILL 28.].

(*Mr. Raikes, Lord George Hamilton, Mr. William Henry Smith.*)

##### THIRD READING.

##### Order for Third Reading read.

SIR SEYMOUR FITZGERALD said, he wished to state on his own behalf, as well as on that of several other hon. Members, that although the Bill had been allowed to pass through its previous stages without discussion, and almost without demur, yet it must not, in consequence, be supposed that they approved the course which had been taken by the Government of India. We had periods of scarcity constantly recurring in that country, and in the present instance the policy which had been adopted by the Viceroy and his councillors seemed to him to be one of a very exceptional character. They had proceeded on the principle that they should rely entirely on the ordinary laws of trade to meet a great emergency; but, for his own part, he was rather inclined to think that exceptional cases were properly met by exceptional means. There was on all sides a desire to give the Viceroy the highest credit for the energy, zeal, and self-devotion which he had manifested ever since it had become clear to him that the crisis with which he had to deal was of no ordinary kind; yet, in his opinion, he failed thoroughly to appreciate the gravity of the crisis for

a considerable time, while the policy which he adopted of trusting altogether to private trade to meet the emergency was, he thought, erroneous. At the earliest moment possible the Lieutenant-Governor of Bengal—one of the most able, as he was one of the most experienced servants of the Crown in India—urged upon Lord Northbrook the importance of interfering to prevent the exportation of rice from the distressed districts and from Indian ports. Afterwards, on objections being pointed out, he waived a part of his suggestion, and advocated the prohibition of exportation from the ports of Bengal. This was refused by Lord Northbrook—he was not prepared to say that it was wrongly refused—on the ground that the same beneficial objects could be effected by purchasing, either directly or indirectly, in India itself. That policy met with the approval of the Secretary of State, and it must be confessed that the first despatch of the Duke of Argyll, surrounded, as he was, by the most able men connected with India, exactly portrayed what ought to have been the policy of Government, and what would have prevented, had it been adopted at the outset, much which there was reason to regret. The despatch pointed out, what experience of Indian famines had shown, that the operations of commerce, and the ordinary processes of supply and demand, could not be relied upon in such emergencies to furnish an adequate supply of food, and that the active intervention of Government was necessary to prevent the worst consequences. Under these circumstances, the Secretary of State placed the matter unreservedly in the hands of the Viceroy, and sanctioned by anticipation whatever measures it might be thought necessary to adopt for the preservation of life. With regard to a prohibition of export, the Duke of Argyll concurred with the Viceroy in preferring other modes of action, and especially he approved Government entering the market as a purchaser. This latter course, he added, would be of a less violent character than prohibition, and would have the effect of inviting commercial enterprise. Indeed, it was obvious that if the Government had appeared in the market of Bengal, and possessed themselves of the supplies of rice which then existed in the country, the prices would necessarily have risen,

there would have been a very great encouragement given to private trade, and the imports from other parts would have been very large—much larger than was the case when the famine took the proportions which it unfortunately assumed. But what was the course which Lord Northbrook took? He contented himself with buying largely in foreign ports, especially in Burmah. He did this through agents who were not declared to be buying for the purposes of the Bengal Government, and it was perfectly well known in the markets of India that large supplies were coming which had been purchased by the Government, while, at the same time, it was equally well known in Burmah that large supplies were leaving that country for Calcutta, and that there would, consequently, be an enormous amount of rice in the ports of Bengal. What was the result? Why, that the stocks of rice which existed in Bengal were exported by their owners because they were afraid that when the grain arrived from Burmah they would be undersold by the Government; and, similarly, there was no exportation on private account from the ports of Burmah to Bengal, because it was perfectly clear that, as the Government of India were sweeping the market of Burmah, and sending large stocks thence to Calcutta, there would be absolutely no demand at the latter place except a Government demand, and, therefore, it would be dangerous for any merchant to engage in the trade. Therefore, the course taken by the Government of India in the interest of private trade absolutely produced an export from the distressed districts and prevented an importation from foreign ports into the ports of Bengal. Now, the noble Lord the Under Secretary of State for India (Lord George Hamilton) stated the other day as a fact that the exports from Bengal were not from the distressed districts. The noble Lord the Secretary of State for India (the Marquess of Salisbury), in “another place,” stated the same thing on the authority of the Viceroy. But they could not have had before them a statement submitted by the Lieutenant Governor of Bengal to the Viceroy, approved by the Viceroy, and reported home by the Viceroy, when they communicated that information to the Houses of Parliament. The Lieutenant Governor himself stated



that he had been obliged to cancel an order he had given reducing by one-half the rate charged for the transport of rice on the railway; because he had found that, owing to exporters taking advantage of the diminished rate, the rice was rapidly leaving the distressed districts, where, of course, it was most wanted. There was, moreover, a declaration of the Lieutenant Governor himself that there had been a large export of rice from other districts which were distressed, and it was notorious that more than once the means of transport which had been employed in taking up Government rice to the distressed districts had brought back to Calcutta an equal quantity of rice from the very same places, with the view to its being sent abroad. The result of this export was, that no rice was left in the hands of the authorities of those districts, the organization of the means of transport became a serious difficulty, and we were driven into the extraordinary position of having 400,000 tons of grain in hand, while at the same time it was impossible, as the Viceroy himself admitted, to send it into the distressed districts. He (Sir Seymour Fitzgerald) made these observations to the House in order that it might not be supposed, from their allowing this measure to pass without observation, and from their raising no debate as to the proceedings of the Government of India, that they approved the exceptional policy which took it for granted that the ordinary laws of commerce were sufficient to meet an emergency like the present, or that they did not think it desirable that there should be a general discussion of the whole policy of the Government of India with reference to this famine, and of the measures which ought to be taken to prevent its recurrence in the future. He would repeat what he said the other night—namely, that there was no man in this House who was more desirous than he to give credit to Lord Northbrook for the extraordinary energy, zeal, and devotion he had shown under most difficult and arduous circumstances. At the same time, he thought the Viceroy had not appreciated so early as he might, the magnitude of the danger, and that his policy at first had been a mistaken policy, which contributed in no slight degree to magnify the evil. With reference to the Bill before the House, he would have been pleased if it had

shown that Her Majesty's Government were prepared, under the very peculiar circumstances of the case, to extend their assistance to the Indian Treasury. The noble Lord the Under Secretary for India said the other night that the difference between raising money at  $3\frac{1}{2}$  per cent and raising it at 4 per cent was such a trifling matter that it was not worth talking about. There being various objections to a guarantee, the noble Lord thought the sum which might be saved by means of it might well be overlooked. Probably, when the noble Lord had a longer experience at the India Office, and became acquainted with the critical condition of Indian finance, he would not say that the sum of £75,000 a-year was a thing that he could afford to neglect. After the enormous pressure put upon the Indian Treasury and Indian credit by the sacrifices necessary to meet this famine, it would be of the deepest interest to everyone connected with India, and of the gravest importance to Parliament and to this country, to consider how the solvency of Indian finance could be properly maintained. Nothing could be more critical than the present position of Indian finance, and he would have been very glad if even so small a sum as £75,000 could have been saved to the Indian Treasury. Some words which fell from the right hon. Gentleman at the head of the Government a few weeks ago had given rise to a hope that the Government of this country might be induced to show an active and practical sympathy with India in her present difficulties and dangers. It was to be hoped that it would be found possible to do something of this kind. It was a matter which must, of course, be left entirely to the Government, and it would not be becoming for a private Member to make a suggestion with regard to it. Of this, however, he was perfectly certain—that anything which could manifest, apart from private subscriptions, the sympathy of the people of this country with India—which would show by some direct official act that there was a warm and generous sympathy on the part of the Parliament of this country towards the masses of the people in India—would, on the occasion of any emergency arising, be worth to this country as much as 50 regiments.

Mr. GRANT DUFF said, he had nothing to complain of in the remarks

of the right hon. Gentleman, because he understood the right hon. Gentleman entirely approved of the Despatch which the late Secretary of State wrote at the commencement of the unhappy calamity, and also that he spoke of the Governor General as he was sure they would all wish to speak of him in that House. With reference to the accusation of the right hon. Gentleman that there had been a want of foresight that the calamity would be quite as grievous as it had turned out to be, he (Mr. Grant Duff) believed that when the Motion of which the right hon. Gentleman had given Notice came under discussion it would be shown that Lord Northbrook, although he abstained from taking a rash course, nevertheless fully perceived the dimensions to which the famine was likely to grow. That he (Mr. Grant Duff) hoped to be able to make clear to the House and the country. In the mean time, he thanked the right hon. Gentleman for giving the House the hope that they should have a discussion of this subject; because he entirely agreed with him that, though it was right to allow this Bill to go through with the least possible amount of discussion, nevertheless it would be wise—and he thought for the honour of the Viceroy—that the whole matter should be thoroughly discussed before the House of Commons and in the face of Europe.

MR. WHITBREAD said, he had not intended to speak on this subject; but he thought it would not be right to let the remarks of the right hon. Gentleman the Member for Horsham (Sir Seymour Fitzgerald) pass without notice. He could understand very well that there should be a discussion of this matter, if it were necessary to stimulate the Government to further exertions; but he thought the right hon. Gentleman admitted that the Government were prepared to use every effort to relieve the distressed districts. If a discussion was not necessary to stimulate the Government to further exertions, then he was at a loss to conceive on what ground it was necessary, expedient, or even just, to discuss this subject. The right hon. Gentleman gave full credit to the Viceroy for his exertions since—as the right hon. Gentleman was pleased to say—he became aware of the magnitude of the famine, but the right hon. Gentleman made two very distinct charges against

the Viceroy. He said the Viceroy was wanting in foresight in not having anticipated the extent of the famine; and he further said the Viceroy largely contributed to the evils of the famine by taking no step to prohibit the exportation of grain. Now, the House was not in possession of sufficient information to be able to express an opinion on those matters; nor was it in possession of information sufficient to enable it to discuss the subject fairly and dispassionately. He protested against these imputations upon the Viceroy at a moment when the House could not properly debate this subject, and when the whole case which the right hon. Gentleman had made was in dispute. The Viceroy and the Government maintained that grain had not been leaving the extremely distressed districts. The right hon. Gentleman said it had, but the House had as yet no means of arriving at the facts. The right hon. Gentleman also said the Viceroy failed to meet the emergency by allowing the ordinary course of trade to continue; but his policy was this—that he did not wish to hamper or interfere with the trade, but determined to supplement it vigorously by the introduction of an enormous quantity of rice. He (Mr. Whitbread) hoped there would be a discussion when the House was in possession of all the Papers that were necessary for a discussion, but he could not think that a discussion at present of the charges which the right hon. Gentleman had made would be either just to the Viceroy, or be likely to strengthen his hands, or the hands of the Indian Government in dealing with the famine.

GENERAL SIR GEORGE BALFOUR hoped this conversation would drop. He thought the time had not yet come for the House to enter into a discussion of that great calamity which had fallen on Bengal. They had not before them the information which had been promised, and without the Reports in full, it was not fair to the Viceroy of India to express any opinion as to his merits or demerits in respect to the measures taken by him to aid the people of the famine-struck districts. Moreover, when the time for discussion came, they would have to deal with the still larger question—how could they prevent a similar calamity in the future? It was 100 years since the great famine of 1770

carried off about one-third of the population of Bengal, and the liability to famines in Bengal had been well established. That contingency was proved by the fact that it was only a few years ago since they had a similar calamity in other districts of India. He protested against the attack made on the Viceroy of India, and hoped the present discussion would terminate as soon as possible, for when telegraphed to India, it must prove a serious disadvantage to the Government there, in the successful carrying out of the measures which it must now be admitted were energetically pushed on in order to save life. He had only to urge that the whole of the despatches, full and complete, without condensation, be laid before the House without delay.

MR. LAING thought it was important that an impression should not go abroad that there was any disposition on the part of the House, and especially of those interested in India, prematurely to censure the course which the Governor General took upon the question of prohibiting the export of rice. That question was evidently surrounded with the greatest difficulties. It was perfectly obvious that, if the Governor General had acted upon the advice given by the Lieutenant Governor of Bengal, he might, perhaps, have escaped a great deal of responsibility. He thought there could be no question that the Governor General, in deciding as he did, was influenced by strong considerations of public duty, and until we knew what the upshot of the matter was, it was quite impossible for anyone in this country to pronounce a definite judgment whether the Governor General was right or not in the course he adopted. He deprecated anything like a premature discussion, and therefore it was only fair and reasonable that the House should abstain from pronouncing an opinion on the course pursued by the Governor General until it was in possession of information as to the results of that course. That he believed to be the general opinion of the House.

MR. DICKINSON said, he saw no necessity for continuing for 10 years the power which this Bill would give of raising money out of the Indian revenues, neither could he see that it called for any gratitude on the part of the Indian people, seeing that the money was raised on Indian credit. For him-

self, he was in favour of its being given to India out of Imperial funds. It was admitted that the famine would be disposed of in three or four years, and he thought the duration of the power of raising money should be limited to four years from the present time. It was a dangerous power to give any Government.

LORD GEORGE HAMILTON thanked the House for the cordial support it had given the Government in passing the Bill through its different stages. He considered it his duty the other night to make a statement as to the measures taken by the Government of India in consequence of the famine. He did not do so in the belief that the House would agree with every detail of that statement, but because he thought it right to show the House that the Government of India were incurring exceptional expenditure, and that it was therefore necessary to relieve the finances of India. It was a mistake of the hon. and learned Member for Stroud (Mr. Dickinson) to suppose that they were taking powers to raise money for 10 years; the period was only five years. He quite agreed in the opinion expressed that that was not the time to discuss the measures which the Viceroy had thought it necessary to take; but he wished to correct two mistakes into which the right hon. Gentleman the Member for Horsham (Sir Seymour Fitzgerald) had fallen. The statement that there were no exports of grain from the distressed districts was made, not by him (Lord George Hamilton), but by the noble Lord the Secretary of State. A certain number of exports did come, not from the most distressed districts, but mainly from the lower districts around Calcutta. The other mistake into which the right hon. Gentleman fell was assuming that he (Lord George Hamilton) made the observation that the loss of £75,000 a-year would not much matter to the finances of India. What he said was that, if we had ever to come again to the market to borrow, we should do so with depreciated credit, and the ultimate loss to India would more than counterbalance the present advantage. Time alone could show whether the measures adopted by the Viceroy were sufficient or not, and it would be presumptuous for us to attempt to anticipate the verdict.

Mr. W. M. TORRENS said, the Bill was put forward as a remedial measure to meet an almost unprecedented calamity in India, and so great had been the illusion created, not only in the House, but throughout the country, on this subject, that a distinguished Prelate (the Bishop of Manchester) was reported in the public prints to have fallen into the mistake of supposing that by this Bill we were financially helping India. The truth, however, was, that we were not helping India in the slightest degree, for this was not a famine Bill but a finance Bill. Its object was to enable the distressed country to borrow in one market cheaper than it could in another. That, no doubt, was a prudent and useful act, but it ought not to be classed in the category of philanthropic proceedings. His hon. Friend the Member for Bedford (Mr. Whitbread) seemed to think that because we had not yet received complete information to enable us to judge of the wisdom of the policy adopted in India, therefore we ought not to discuss the adequacy of the measure and the necessities which called it forth. He concurred in the statement that they had not yet sufficient information to enable them to form an opinion upon the wisdom of Lord Northbrook's policy. He had had the privilege of knowing Lord Northbrook for 25 years, and although he did not always happen to agree with him, he had the most implicit belief not merely in his honour, which had not been questioned, but in his devotion to the public service, and in his rare qualities of moral and intellectual fitness for his high position, and he prayed most sincerely that he would come out of the great trial which it had been his singular fate to meet, with honour and credit to himself and the name he bore. There was, however, a much more important question to consider than that of Lord Northbrook's foresight—that, indeed, was a personal question; but there was a national question which it was incumbent on Parliament to consider. Having taken India in charge by the Act of 1858, it became their duty to think for themselves. His hon. Friend had said we must wait in order that we might be able to judge by results. But could we afford to wait for results when millions of lives were at stake? Hon. Members of that House ought to endeavour to

anticipate results, and to interrogate the Government with a view of ascertaining what the probability of those results might be. A suggestion had been thrown out that in a time of famine the most important benefit which could be conferred on India would be a reduction in the price of salt—a step which Edmund Burke in eloquent terms accused Warren Hastings of neglecting under like circumstances just a century ago. Did the House remember that we levied £6,000,000 a-year in India by means of the salt tax, and that we imposed an *ad valorem* duty of 2,600 per cent upon salt? Medical men were agreed that rice without some such condiment as salt would certainly destroy those who ate it, and consequently if we gave the starving people rice without that article which would make it wholesome, we should simply be shirking the question of famine, and it would only amount to the difference between slow and quick destruction. Ought they not, therefore, to endeavour to stimulate the Government, by the moral weight of that House, to seek the means of additional relief in that direction? As for the present Bill, it ought to be judged simply as a finance measure, and not in any way as an act of international friendship or benevolence.

Mr. BECKETT-DENISON said, if he thought the passing of the measure would preclude the House from expressing an opinion whether it were wise to aid the Revenues of India by an Imperial grant, and if hon. Members had to decide between this financial measure and another, he might have hesitated in coming to the conclusion that to pass this one was the first and only duty of hon. Members. He took the opportunity of saying the other evening—and he still adhered to the opinion—that this was a right step in the right direction, as a first measure towards meeting the distress in India. In fact, it was an obligatory measure. The first duty of the Government of India was to feed the starving population; and it was not necessary, he held, for that Government to come to the House of Commons and ask for an Imperial guarantee for raising a loan when it had the means on its own credit to do what was necessary. Therefore he had no hesitation in again recording his assent to this loan of £10,000,000, though he should be very sorry indeed

to think that by so doing the House would deprive itself of all opportunity of urging upon the Government at a subsequent date the necessity of any further measure of relief which the House might feel disposed to pass. Some hon. Members had drawn a parallel between the financial result of raising this money on the credit of India *pur et simple*, and of raising it under an Imperial guarantee, and a calculation had been made that the difference in interest would be about £75,000 per annum. With regard to that point, he thought that it was of more consequence to India to preserve her credit unimpaired for future financial operations, than to secure a present advantage for which she would have to pay heavily hereafter. Every apprehension as to the severity and intensity of the famine had been realized; and at the end of six months, or later, when the Government of India had to consider how to rehabilitate the cultivators of the soil, so that they might be in a position to cultivate their land, and to recover their status, there could be an opportunity for assistance. He did not venture to pass a judgment on the conduct of any officers occupying a high position in India. Everybody must know what a dreadful weight of responsibility pressed upon them; but there was no doubt that, so far as human judgment could guide them, none would fail in their duty.

Bill read the third time, and *passed*.

#### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

#### BALLOT ACT.

##### OBSERVATIONS.

SIR CHARLES W. DILKE (who had given Notice that he intended to call attention to the defects of the Ballot Act, and to move for a Select Committee to investigate the working of the Act, with power to suggest Amendments of the same) said: In bringing the subject before the House, I disclaim any idea of bringing it forward as a result of the last Election it being generally agreed that hon. Members opposite, who have been returned in a large majority, do truly

represent the opinion of the constituencies. The question which I am about to submit to the consideration of the House has been anticipated two years ago, for at that time, when the Ballot Act became law, there was reason to believe that experience would reveal defects in the measure, then for the first time adopted, and that at some future period it would need revision. That it does need revision, inasmuch as experience has shown defects in the Act, few will now deny. Much correspondence has taken place in the public journals on the subject; several meetings of Returning Officers have been held; many points have been submitted by candidates and their agents to counsel for an opinion. There are, in short, several clauses of the Ballot Act, and several passages in the Schedules, which stand in much need either of amendment or of official exposition. In a good many boroughs there were hitches of one kind or another, in the working of the Act on polling day. As to what papers should be counted, and what should be rejected for informality, there has been the greatest possible difference of opinion. As to the effect upon the election of that, which as far as my experience goes has been universal—namely, the difference between the number of papers in each box and the number returned by the presiding officer at the corresponding station, no one has the least idea. As to the manner in which the votes should be counted, and as to the effect upon the election of a non-compliance with the terms of the Act in that respect, there is a similar doubt; and although it may be said that these are questions which might be raised by Petition, and settled by the Judges, still it must be remembered that Petition is a costly process; that these points do not happen to have been raised by Petition on the present occasion; and if the amendment of the law is to be left to the decision of the Judges, another General Election will come upon us, without any of those difficulties having been removed. I am not here to go through the Act line by line, and to point out what appear to me to be its defects. I only wish to speak of those of which I and others have had practical experience; defects which having shown themselves once, may be expected to show themselves again. In the first place, I wish to call attention to

a singular inconsistency in the Act itself. The Act lays it down that each ballot paper "shall be marked on both sides by an official mark." It says that the voter shall place it in the box, "after having shown to him" (the presiding officer) "the official mark at the back." The Act then goes on—

"Any ballot paper which has not on its back the official mark, or on which . . . anything, except the said number on the back, is written or marked, by which the voter can be identified, shall be void and not counted."

Of course, the identification of the voter is the very thing against which half of the provisions of the Act are intended as a safe-guard, and as for the non-counting of papers, not having the official mark, that is the only means of preventing what has been called in America the "Ballot stuffing" fraud. The showing the mark on the back of each paper to the presiding officer is the only means of preventing the "Tasmanian dodge," about which we talked so much in 1872. Yet I am prepared to state—and if the statement be questioned, I can prove by reference to time and place—that in dozens of elections in different parts of England, ballot papers were counted, which the Act says are void, and shall not be counted, inasmuch as they had the voter's number on the register, written on the back. They were advisedly counted, after arguments had been heard before the Returning Officers, and counted after argument, because the Act is inconsistent with itself, and directs those who are engaged in the counting by no means to look at the back of the papers. If it be asked how the backs were seen, I would answer that the backs of a large number of papers were seen by accident as the boxes were emptied; that in many cases the ink with which the voter's number on the register had been written in by the presiding officer showed clearly through the ballot paper. I have received an important letter with reference to an important county in the north of England—which I will not mention by name as a Petition has been presented against the late return—in which case I am informed that the sheriff, as Returning Officer, has actually caused the voter's number on the register to be printed both on the ballot paper and counterfoil, so that it would be perfectly easy to see how any

vote had been given. That is a point which ought to be investigated by a Select Committee, and which in London alone affects hundreds. As for the second point I raised, I also am prepared to state, and if necessary to prove, that the number of papers in the box very rarely tallied exactly with the number returned by the presiding officer. Again, to raise a third point, the stamping of the official mark is a matter which is not a fit one to be investigated by an Election Judge. It is not a question of law, but one of fact and of machinery. It is one which, if it is to be investigated, ought to be investigated by a Select Committee of the House of Commons, and that it is one which must be looked into, I think is clear. When it is remembered that no one can deny that thousands of voters who thought they voted at the last Election were in reality disfranchised, from no fault of their own whatever, but only because much of the official machinery did not really stamp at all, it is clear, I say, that inquiry into this matter must take place. On the other hand, I could, if necessary, prove that thousands of papers were counted, which although they had some trace of an official mark upon them, had no such mark as was contemplated by the Act, because they had no such mark as would be sufficient to prevent fraud, and I have no hesitation in saying that if we go to another Election without inquiry and an amendment of the law, "ballot-box stuffing" will be carried out. It is not a sufficient answer to those who say that fraud will occur under the Ballot, to point out that there is no proof of fraud having occurred this time. The fact that this was the first General Election under the Ballot; that the election was sudden; that the scoundrels who exist in most constituencies had not had time to make themselves acquainted with the provisions or the working of it; these are reasons why we may expect that if fraud be possible under the Act, and I say it is possible, it would not be perpetrated in 1874, but it would be perpetrated in 1879. The three points upon which I have at present spoken, are better raised, I think, before a Committee of the House of Commons than on Petition before an Election Judge. They are—the contradiction in the Act itself, about numbering or marking on the back of the paper;

the precautions taken to see that no single paper is carried out of the booth, and that the number torn out of the book, and the number of papers put into the box, exactly tally; and, thirdly, the question of the machinery of stamping. The same is the case with three other points, as to two of which I have received a large number of letters from all parts of England, since my Notice was placed upon the Paper of the House. Those three points I will confine myself to merely mentioning, as matters of much importance which ought to be considered by the Committee, if one were granted, although there would be nothing gained by going into them now at length. The first of those points is the mode in which the counting of votes should take place. Under the Ballot Act, this seems to be left to the discretion of the Returning Officer. But I think that it should not be left to his discretion, but should be considered by a Committee of the House of Commons, and regulated by law. Two modes of counting were followed at the last Election. One of those modes was perfect; the other, which was followed in many most important towns, did not give any security to the candidates or the electors against blunders, or even against corruption, on the part of the clerks engaged in keeping a record of the votes, as called. The second of those points is that of the time which the Ballot Act allows to the Returning Officers for making their preparations. It seems certain that at such boroughs as Hackney, Marylebone, and the Tower Hamlets, the time is far too short. Returning Officers are not justified in incurring expense before the nomination of the candidates has taken place, yet in such boroughs as those of which I spoke, it is impossible to avoid a break-down if this is not done. In one of those boroughs the Returning Officer has to construct 70 stations with 300 separate secret compartments, and to find 70 competent presiding officers, and 70 competent clerks. Now to do all this within three days, and that at a time when there is a tremendous competition for carpenters, for presiding officers, and for all clerks who have the slightest pretensions to sobriety, is impossible. The third point is one closely connected with the second; it is that of the effect of the Ballot Act upon the law regarding the expenses of the Returning Offi-

cer. It is a point which it would not be useful for us to investigate at length in the whole House; but it is a point which deserves attention—which ought to be cleared of the difficulties which surround it, and which might be investigated by the Committee. There is also one isolated point standing wholly by itself, and unconnected with any of those I have named or am about to name, in respect to which also I have received very many letters from the smaller or agricultural boroughs. It is one which might be raised before the Committee with advantage, but I shall not dwell upon it, because I do not see my way to an avoidance of the difficulty. It is that of the abuses which undoubtedly surround the voting of "illiterates." I have received an elaborate letter from the mayor of one of the boroughs of which I spoke, which I will not read, but which might be tested by his examination as a witness before the Committee, in which he points out with great detail the collection by him of evidence to show that great numbers of illiterates were illiterates only for the day, and that they were as competent to read and write the day before and the day after the election, as they were wholly incompetent, according to their statement, on the day itself. In the large boroughs, where no attempt was made to find out how people voted, a very small proportion of the illiterate voters claimed their privilege. The great majority of them seemed to have preferred to vote by the light of nature, rather than by the hand of the presiding officer. In one ward of the borough that I represent, for instance, in which there are notoriously a great number of illiterate electors, only two voters had their papers marked for them by the presiding officer; but in some of the agricultural boroughs that I could name, the whole population of certain parishes voted as illiterates. But I name this point only because of the great number of letters that I have received upon it; and without wishing to go further into it at the present, I may add, as a connected point, that complaints have reached me from all parts of England that the paper on which the voter is made to vote shows the names through in such a way that the presiding officer can clearly see for whom he votes. Before finally leaving the points which I have already raised, I would crave leave to return for a moment to one of them. I



spoke a short time since as to the provision which enacts that the mark on the back of the voting paper shall be shown to the presiding officer as being the only means of preventing that which is known to the survivors of the last Parliament as the "Tasmanian dodge." If I may allude for a moment to my own experience, I attended the booths in four constituencies, being the only ones of those in which I was an elector, in which there happened to be a contest. Now, taking those four constituencies, of which two were counties and two were boroughs, I myself saw in the one case no less than four, and in each of the other cases one ballot paper brought out of the booth; yet one single paper brought out is sufficient to allow the perpetration of the "Tasmanian dodge," and also of such an imitation of the official mark as would pass muster at any counting of the votes not more rigid than were the countings at the last Election. This fact shows how vitally important it is that the number of papers issued at each station as returned by the presiding officer, and the number of papers found in his box, should exactly tally. I now leave the points which can only be well discussed before a Committee of the House of Commons, and I turn to one remaining point which could undoubtedly be with confidence raised before, and decided by an Election Judge, although I contend that it could be more conveniently decided by an amendment of the Ballot Act, after consideration by a Committee of the House of Commons. This is the subject of what is a mark by which the voter can be identified. It must, I think, be clear to all who have studied the Act, that the whole of the elaborate provisions about the non-identification of a voter can be easily evaded if you allow any mark to be made except a well-shaped St. Andrew's Cross, although I for one would go further and say that I do not think it is possible to prevent identification in any case. I certainly am of opinion that a puncture with a pencil or a mark of a dirty thumb, or a snip torn from a particular corner of the paper, may be sufficient for the identification of a voter, by arrangement previously made with a dishonest agent who is to attend at the counting of the votes. I am also of opinion that the elaboration of the provisions of the Act is from this point of view unnecessary; but if so, it ought not to be discarded—it ought to be re-

pealed. It is idle to have the Schedules of the Ballot Act staring us in the face, full of minute and highly technical provisions—full therefore of traps for the unwary, likely to lead to great expenditure of money, and resulting in much uncertainty—if the whole of these fortifications can be turned and taken in the rear by the simplest and most evident of dodges. But on the other hand the provisions are there—they have not yet received judicial interpretation—they have been construed in two widely different ways at the late Election, and thousands of votes have been rejected by some Returning Officers, whilst in other constituencies Returning Officers have counted them. Each of us knows his own case best, and I may be permitted therefore, perhaps, to allude to the case of my own constituency—the more so as with us the counting or the rejection of these doubtful votes did not, as it happened, in any way affect the result as regards the relative position on the poll of myself and my honourable Colleague. When we came to classify the gentlemen who had made some mark except an ordinary St. Andrew's Cross—and we classified them under the general name of "duffers"—I am bound to admit that I had a majority of 34 of the duffers; but those who were worse still, and were placed by themselves in a packet under the name of "hopeless duffers," but who were finally counted, gave a clear majority to my honourable Colleague. Now, with us—and in many great constituencies where the Elections were presided over by some of the most learned and impartial Returning Officers—all papers were counted after argument, in which the intention of the voter was clearly shown. In other constituencies—I may say neighbouring constituencies—all papers were rejected which had upon them any kind of mark except the very mark which is indicated in the Schedule of the Act. There is a very strong case to be made each way. My own opinion is that the decision in my own constituency was wrong, and that whatever may be the right and wrong of the case, whatever may be the wisdom of changing the law—and I think that it would be wise that we should change it—whatever may be the hardship of the present state of the law, my view is that as the law does stand, it undoubtedly requires the rejection of every paper which has on it any mark

such as may lead to the identification of the voter. I think that all papers marked in any way except with a St. Andrew's Cross, placed on the square opposite the candidate's name, are bad, and for the simple reason that any other sign may lead to the identification of the voter. The danger undoubtedly is not a practical one in large boroughs and in counties; but the law was not made for large boroughs and for counties alone, and the question that we have to consider, and that a Select Committee ought to consider, is, in the first place, not what the law ought to be, but what it is. The danger against which the law is meant to guard is a practical danger in some constituencies. In Kinsale, where there were only two candidates, one of them only polled 47 votes. In Mallow, one candidate polled 86, one 64, one 27, and one only 9. In New Ross, where there were only two candidates, one of the candidates polled 81. In Wexford, where there were only two, one of the candidates polled only 73. In Portarlinton, the successful candidate polled only 76, and the defeated candidate polled only 52. It is clear that in such constituencies as these, the agent present at the counting of the votes, if he were a dishonest man—and the whole Act assumes that he may be a dishonest man—might recognize every voter by a system of marks which would be amply sufficient for his purpose. One of the most perfect examples that I can conceive of the complexity of the subject, and of the need for the appointment of a Select Committee to investigate it, was afforded by a letter which appeared in *The Times*, and which was addressed to that journal by the Town Clerk of Swansea. That gentleman said that his view was that any mark that clearly showed intention was a sufficient and a good mark, but that he had taken counsel's opinion upon the point, and that counsel's opinion was the other way—that he had consequently advised, as it was his duty to do, the Returning Officer of his borough to reject all papers having any mark but a St. Andrew's Cross, although this was contrary to his own opinion, and that all such papers were consequently rejected. There is one additional reason which I may name for strictly adhering to the terms of the Act; it is that by not doing so you are soon led into giving absurd decisions. For instance, we counted

straight lines that were put in the squares instead of crosses; but we soon came to a paper which had both straight lines and crosses. This, upon our own principle, we ought to have counted and should have counted, if we had come to it first. We were, however, led by our previous decision that a straight line was a sufficient mark to reject this voting paper, on the ground that it had too many marks. For all those difficulties I say that there is but one safe cure, and that is an investigation by a Committee of the House of Commons, and amending legislation upon the subject. Of course, I do not know whether the Committee will be moved for by Government. I shall not move for it myself. My hon. Friend the Member for Whitehaven (Mr. Cavendish Bentinck), and my hon. Friend the Member for York (Mr. J. Lowther), who have greatly fallen from their high estate, will perhaps be put up by their chief to argue that the Bill, which in principle and in detail they opposed with might and main, is the perfection of human wisdom. My right hon. Friend the Member for Bradford (Mr. W. E. Forster), the parent of the Act, and my hon. and learned Friend the Member for Taunton (Sir Henry James), its godfather, will no doubt tell us that it is faultless; but I think the general sense of the House will be, that while the Act was well drawn, considering its complexity, no Act so important and so technical can be unworthy of careful revision.

Mr. C. E. LEWIS said, he had no doubt that the House was desirous that the Ballot Act should be made as perfect as possible in their own interests and in the interests of the constituencies of the country generally, for it was very desirable that the loss of votes should be prevented, and accuracy in counting votes should be secured, and that steps should be taken to diminish as much as possible the expenses. It was only necessary for him to remind the House that not fewer than 12 hon. Members of the House had been returned by majorities of 10 and under, and that 24 hon. Members had obtained majorities of 20 or under. These facts were sufficient to show that precision and accuracy were of the utmost importance, and that the power of the Returning Officer, for good or bad reasons, to reject voting papers which had some peculiarity in them—without decision or authority to guide

him—was a subject which deserved consideration. In reference to the loss of votes, he might say that at the late Election for Galway, out of a total of 1,100 votes, no fewer than 190 were rejected by the Returning Officer. The Returning Officer, in fact, possessed enormous powers, and much depended, not only on his honesty and integrity, but upon his intelligence and his accurate reading of the provisions of the Act. That was a point on which both sides of the House, and both large and small constituencies, were equally interested, and it was highly expedient, in order to secure the purity of our electoral system, that steps should be taken to obtain uniformity of procedure at elections, for under the present mode of taking the Ballot there was every inducement held out to partizan Returning Officers or their clerks to act improperly. Thus in a county constituency which should be nameless, an hon. Friend of his who had been elected by a small majority of 53 or 54 in 1868, was returned by a large majority in 1874. At the recent Election one of the friends of the candidate who was present at the counting of the votes had a suspicion that one of the clerks who was entering the number of votes in a book was manipulating the counting—that was to say, he was omitting a batch of 30 votes in favour of the candidate in question. On being challenged with the offence the clerk expressed great indignation at his honour being so assailed; but on the votes being compared with the book in which he was entering the number of voters, it was found that not one but two batches of 30 votes in favour of the particular candidate had been omitted. It might be said that that was a fault on the part of a certain clerk, and that this was after all a mere honest mistake, and not a fault of the system; but when it was recollected how various were the modes of counting the votes, some of them being of the loosest character, and how impossible it was in very large constituencies that the candidates should exercise proper supervision over the counting, it appeared to him that the Government should at their own time, and under circumstances in which they would be able to secure a fair and impartial consideration of the points of detail, refer the whole matter to a

*Mr. C. E. Lewis*

Select Committee. His own constituency being a small one, every vote had been counted under the supervision of the candidates themselves; but in large constituencies such scenes had been witnessed as seven or eight sets of persons being engaged in the same room in counting the votes, the names of the candidates and the votes given on each ballot paper being shouted out in such a way as must almost inevitably lead to confusion and mistakes. A trifling mistake in the number of the votes given for a particular candidate might be of the gravest importance, because in many of our largest constituencies hon. Members had been returned by the merely nominal majorities of 50, 100, or 200. Having had personal experience twice of a contested election under the Ballot, he had taken some little trouble to inquire into the working of the present system, and he had come to the conclusion that it was for the interest of all hon. Members, whether in existence or *in posse*, that the defects in it should be removed. What might be the determination of the House on the subject of the Ballot when its term of eight years had expired it was impossible to pre-judge; but it was clear that those who had opposed it for so long might be pleased that they had at length accepted it, while those who had urged its adoption for so many years had found that it had brought destruction of the party which had carried it into law. Thus that which was to have caused the entire destruction of the Conservative party had had exactly the opposite effect, and it was remarkable that, under the Ballot, where the Conservative Party were strong before they were stronger now, and that where the Liberal Party were strong before they now found their strength diminished. He made these remarks not for the purpose of rousing party feeling, but to point out that the question might be considered without regard to its bearing on either party, and merely with the view of making the mechanical operation of voting safe for both the candidates and their constituents. One word as to Returning Officers' expenses. It would ill become him, and would be contrary to his experience of the class of persons who so usefully filled those positions, if he were to suggest that there was any designed impropriety in the charges made by those offi-

cers; but anything more unsatisfactory than the present system he could not conceive. The honest Returning Officer in a large constituency was obliged to work night and day without receiving the smallest remuneration for his labour, unless it took the form of an *honorarium* from the winning, or perhaps all the candidates. Thus the Returning Officer for Marylebone had had to work for a week and a-half, night and day, at the last General Election, during which time he was unable to attend to his business, and all Returning Officers were obliged to work in a similar manner if they wished to escape the odium which had fallen upon the Returning Officer of another of the great metropolitan boroughs. It was most unsatisfactory when the Returning Officer had to put down a fee for himself, and it was equally unsatisfactory when he had to accept that as a gift which he ought to receive as the legitimate reward of his labour; and besides, men who had to give up days of valuable professional time ought not to be called upon to discharge the duties upon the chance of receiving an *honorarium* from the candidates who went to the poll. In other cases he had heard that monstrous charges had been made in small boroughs, and in one instance where the candidate, who was called a Conservative working-man's candidate, had refused to pay the Returning Officer the sum of £50, the Returning Officer had refused to allow him to be nominated, and the noble Lord who was the other candidate was returned as unopposed, the consequence being that a Petition had been presented on behalf of the rejected candidate. There were, he believed, numbers of cases of that character which were a scandal and a discredit to the law. Another thing he complained of was that the first set of candidates should be compelled to pay for the ballot boxes, which would suffice for their own constituencies for the next 20 or 30 years. In some instances candidates had merely hired the boxes, but the hire was probably more expensive than the purchase of them would have been. He felt, however, that under existing circumstances it would be idle to press these matters more upon the Government than the facts would press themselves. If the facts which had been already maintained, and others which could be sup-

plied by hon. Members on both sides were not sufficient to induce the Government on their own authority to take this matter up, and to bring it at some convenient time before the House, no arguments would be of the slightest avail. For his own part, he had perfect confidence that the right hon. Gentleman the Home Secretary would do all that was discreet with reference to the main interests of the country on the subject, and he was satisfied that any measure that might be proposed would receive the careful attention of the Select Committee of that House to which it might be referred.

Mr. O'CONOR said, that a considerable portion of the speech of the hon. Baronet the Member for Chelsea (Sir Charles Dilke) referred to the putting marks on the ballot papers, which necessitated the Returning Officers rejecting them; but how could the House go into an inquiry upon that subject now when it was well known there were several hon. Members against whom Petitions were pending on that very ground. He would draw attention to the fact, that a double return had been made from Athlone, and the question as to who was the properly elected Member would depend upon whether the Returning Officer had properly or improperly rejected certain of the voting papers. A similar state of things existed in Leitrim county, where a Petition was pending, in consequence of marks having been put on the ballot papers by the presiding officer at one of the booths. It was impossible for the House to grant a Committee at the present moment; but after the Election Petitions had been tried, and the House had obtained from the Judges a clear declaration of the law, it would be desirable to appoint a Committee to consider what amendments were necessary. It had been his own intention to bring this matter before the House in consequence of what occurred at an election last May for the county of Tyrone, at which Mr. Macartney was an unsuccessful candidate. Mr. Macartney petitioned against the return, and Mr. Justice Fitzgerald was deputed to try it. The Petition was withdrawn before trial, and Mr. Justice Fitzgerald made a Report in which he raised the point whether an election would be void in a case where the Returning Officer had marked on the back

of the voting paper the number of the voter on the register, thereby affording a means by which he could be identified. Mr. Justice Fitzgerald thought it his duty to report the matter specially, and added that it was doubtful whether the Act provided an adequate remedy for such cases. If it were found that such an act on the part of the Returning Officer disqualified the voter, it would give him the power of disfranchising many of the constituency.

MR. GREGORY said, that whenever a Committee was appointed it would be necessary to consider the question of the expenses of Returning Officers, who could not proceed for their recovery against the persons nominating the candidates, but only against those who went to the poll. Consequently there was no limit to the introduction of "bogus" candidates, as it was open to any ten men to put up a man of straw as a candidate, and thereby cause all the expenses of a contest without the slightest risk on their own part. The question of the expenses charged by Returning Officers for themselves was also deserving of attention.

MR. W. E. FORSTER said, he must remind the hon. Gentleman the Member for East Sussex (Mr. Gregory), that the House was aware at the time of the passing of the Ballot Act that there was no alteration in the law as regarded the power of nominations in the direction in which he appeared to suppose that there should have been; but a candidate must now be nominated by 10 persons, whereas formerly he could be nominated by two. There was therefore now no greater chance of bogus nominations than there was then. He hoped that the hon. Gentleman who had brought the subject forward would not think, and that no hon. Gentleman in the House would suppose, that because he (Mr. W. E. Forster) had charge of the Bill which was passed, he wished in any way to prevent an inquiry into its operation. He thought the time was coming when it would be really desirable to review the operations of the Act, and to find out exactly what had been the results; but the argument used by the right hon. Gentleman the Home Secretary two days ago, anticipating that debate—namely, that they ought to wait for the reports of the Judges—seemed to him (Mr. W. E. Forster) to be almost

irresistible, and for this reason, that it was possible that the Judges might themselves make suggestions for the improvement of the law. He thought it was possible that there might be some vagueness in the Act which might cause some difficulty in its interpretation, but if so the fault lay with the House, and perhaps still more with himself, as having had charge of the Act. But, on the other hand, they must recollect that scarcely any Act had ever passed without some doubt as to its interpretation, and he did not think the House would underrate the difficulties with regard to the passing of such an Act. It was a perfectly new machinery of great complication and exceeding difficulty, and it would be most unreasonable to expect that at once all the Returning Officers would carry it out in exactly the same way. The Judges, however, in considering the Petitions would doubtless arrive at some general interpretation, and he could not help thinking that many of the objections which his hon. Friend had started would be removed by the result of those Petitions, and that the Judges would settle the points in time for future elections, especially that point which was probably the most important that had been brought forward—namely, the question whether the mark must be a cross or not. His own opinion remained, as it was at the time of the passing of the Act. He considered the cross was placed in the Schedule as a hint for guidance, but not as a positive enactment, but if the Judges decided that the mark must be made in the actual form of the cross, he thought the House would have ground for considering whether that decision should remain the law of the land. On the other hand, if they came to a different decision, that result would not follow in the future which the hon. Baronet deplored—namely, that a great many votes would be struck off. There was one fact which was certainly new to his mind, which was highly objectionable, and which, if proved, would in his opinion be sufficient ground for the House considering the subject, and that was the use of transparent ballot papers. He had not before heard of a case of the kind, but the House must be guided by facts which were in evidence, and not by what might happen. It would be impossible for the House to guard in theory against every

combination of dishonesty, fraud, and cleverness, and they must have some practical evil in view before they attempted any fresh legislation. Then, again, the House would know a great deal more about the facts when they knew the result of the Petitions. The hon. Member seemed to suppose that the number of Petitions was no test as to the working of the Ballot Act, but to that opinion he could not assent. It was encouraging to know that although the last General Election introduced a mode of voting which was new to candidates, agents, and voters, the number of Election Petitions was far less than had heretofore been usual after a General Election. That showed that the evils which might exist were not, at any rate, so great as to call for immediate and hasty legislation. There was little doubt, on the other hand, that when the Petitions were decided, points would have arisen which might very fairly be considered. The House would remember that the question relating to the expenses of Returning Officers was discussed, and that the House determined to leave the candidates who went to the poll to bear the expenses of the election. The result had been to confirm him in the opinion he then shared with others, and which he still held, that these difficulties would continue until the constituencies themselves bore the necessary expenses of elections.

#### BRITISH MUSEUM—SALARIES OF OFFICERS.—QUESTION.

MR. BUTT asked the First Lord of the Treasury, Whether it is the intention of the Lords Commissioners of the Treasury to grant the increased scale of Salaries recommended by the Trustees of the British Museum for the Officers, Assistants, and other persons in that establishment, as set forth in a Return ordered by the House of Commons to be printed, 9th June 1873, No. 237; and, whether it is the intention of the Lords Commissioners of the Treasury to grant to such Officers and others the arrears of pay which they would have received during the past financial year had the Resolution of the Trustees been carried into effect at the time contemplated by them?

MR. DISRAELI: The hon. and learned Gentleman is under some mis-

apprehension of the circumstances in which this question rests. It is very true that a memorial was addressed to the Treasury on the scale of salaries recommended by the Trustees of the British Museum, but it was considered by the late Government, and they decided unfavourably. There the question was concluded. The business is not before the new Board of Treasury. It does not exist as a question before them, and it will be impossible to arrive at any conclusion upon it or the question of arrears, until the matter is again brought before the Treasury.

Motion, "That Mr. Speaker do now leave the Chair," *agreed to*.

SUPPLY—*considered in Committee*.

Committee report Progress; to sit again upon *Monday* next.

#### TURNPIKE ACTS CONTINUANCE.

Select Committee *appointed*, "to inquire into the Twelfth Schedule of 'The Annual Turnpike Acts Continuance Act, 1873.'"—Committee *nominated*:—Lord GEORGE CAVENTISH, Sir ROBERT ANSTRUTHER, Mr. BEACH, Mr. WENTWORTH BRAUMONT, Mr. WILBRAHAM EGBERTON, Mr. M'LAGAN, Mr. WELBY, Mr. CLARE READ, and Lord HENRY THYNNE:—Power to send for persons, papers, and records; Three to be the quorum.

*Instruction* to the Committee, that they have power to inquire and report to the House under what conditions, with reference to the rate of interest, expenses of management, maintenance of road, payment of debt, and term of years, or other special arrangements, the Acts of any of the Trusts mentioned should be continued.—(Mr. Selater-Booth.)

#### HOLYHEAD OLD HARBOUR ROAD BILL.

On Motion of Sir CHARLES ADDERLEY, Bill to transfer parts of the Holyhead Old Harbour Road from the Board of Trade to the Local Board of Health of the town of Holyhead; and for other purposes, *ordered* to be brought in by Sir CHARLES ADDERLEY and Mr. CAVENTISH BENTINCK.

Bill *presented*, and read the first time. [Bill 51.]

#### CATTLE DISEASE (IRELAND) BILL.

On Motion of Sir MICHAEL HICKS BEACH, Bill to amend the Acts relating to Cattle Disease in Ireland, *ordered* to be brought in by Sir MICHAEL HICKS BEACH and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 52.]

#### PUBLIC HEALTH (IRELAND) BILL.

On Motion of Sir MICHAEL HICKS BEACH, Bill to amend the Law relating to Public Health in Ireland, *ordered* to be brought in by Sir MICHAEL HICKS BEACH and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 53.]

MUNICIPAL BOROUGH (AUDITORS AND ASSESSORS) BILL.

On Motion of Mr. DODDS, Bill to amend the Law relating to the election of Auditors and Assessors for Municipal Boroughs in England, ordered to be brought in by Mr. DODDS, Mr. PEASE, and Mr. RICHARDSON.

Bill presented, and read the first time. [Bill 54.]

House at Rising to adjourn till Tomorrow, at half an hour after Twelve of the clock.—(*Mr. William Henry Smith.*)

House adjourned accordingly, at a quarter after Seven o'clock.

HOUSE OF LORDS,

Saturday, 28th March, 1874.

MINUTES.] — *Royal Assent* — Consolidated Fund (£1,422,797 14s. 6d.) [37 *Vict.* c. 1].

Their Lordships met—

CONSOLIDATED FUND (£7,000,000) BILL.  
EAST INDIA LOAN BILL. (NO. 19.)

Read 2<sup>a</sup> (according to order); Committees *negatived*: Then Standing Orders Nos. 37. and 38. *considered* (according to order), and *dispensed with*: Bills read 3<sup>a</sup>, and *passed*.

and having gone through the Business on the Paper, without debate—

House adjourned at One o'clock, to Monday next, a quarter before Four o'clock.

HOUSE OF COMMONS,

Saturday, 28th March, 1874.

The House met at half after Twelve of the clock.

Message to attend the Lords Commissioners:—

The House went;— and being returned;—

Mr. Speaker reported the *Royal Assent* to,—(£1,422,797 14s. 6d.) Consolidated Fund Bill.

The House having gone through the Business on the Paper, without debate—

House adjourned at One o'clock, till Monday.

HOUSE OF LORDS,

Monday, 30th March, 1874.

MINUTES.]—PUBLIC BILLS—Committee—Report—Attorneys and Solicitors\* (6).

*Royal Assent*—Consolidated Fund (£7,000,000) [37 *Vict.* c. 2]; East India Loan [37 *Vict.* c. 3].

ASHANTEE WAR.

VOTE OF THANKS TO THE FORCES.

*Moved*, "That the Vote of Thanks to the Forces engaged on the West Coast of Africa take precedence."—(*The Lord President.*)

Motion agreed to.

THE DUKE OF RICHMOND: My Lords, it now becomes my duty to perform the pleasing task of moving your Lordships to agree to a Vote of Thanks to Her Majesty's Forces lately engaged in the operations on the Gold Coast. I describe this as a pleasing duty, because I am confident that there is not one of your Lordships who will not join me most cordially in approbation of the conduct of all who took part in these difficult operations; for I am sure we all view with pride and satisfaction, the conduct of our troops, both of the Army and the Navy Services, by whom they were brought to this successful conclusion. My Lords, I am also sensible that the duty which now devolves upon me is one of some delicacy, because I cannot but be apprehensive that my own short-comings may seem to detract from the high honour proposed to be conferred on the men who are to be the objects of the Thanks of this and the other House of Parliament. My Lords, the recognition of their services by the Queen, the Parliament, and the country is one of the highest honours—if it be not the highest honour—which can be conferred upon any body of our countrymen for services even so arduous and important as those which have been recently brought to so successful an issue.

My Lords, I shall but very briefly call your attention to what was done during the late expedition to the Gold Coast; and, in so doing, my desire is—and I hope I shall succeed in that desire—to touch upon nothing of a controversial nature. I shall not touch upon the causes which may, in the opinion of some, have led to the war, and I shall not in any way



allude to the question whether my noble Friend opposite, the late Secretary for Foreign Affairs, was wise and judicious in the policy he adopted in all the varying circumstances which led to our occupation of territory on that Coast—because I believe that on an occasion like this the honour intended is much diminished if there be not an unanimity in the expression by which it is accompanied. For this reason, my Lords, I shall confine myself exclusively to the brilliant services of the Forces to whom we wish to accord our Thanks.

My Lords, in my opinion, one of the most marvellous circumstances attaching to this war was the extraordinary rapidity with which it was commenced, carried on, and brought to a successful issue. Your Lordships will recollect that it was in the middle of December that the English battalions were first sent from this country to the Gold Coast; and on the 4th of February Coomassie had fallen, and in what had been the capital of the Kings of Ashantee three cheers were given for the Queen; and within two months of that period these troops have had the honour of being reviewed—and I think Her Majesty had great satisfaction in reviewing them—beneath the walls of Windsor Castle. I venture to think that the rapidity with which that operation was carried out is strong proof of the great skill, great energy, great zeal, and soldier-like qualities of the General in command of the troops. No doubt that General had an able and efficient Staff; but I think too much praise cannot be given to Sir Garnet Wolseley, when we consider the circumstances under which he was placed on his arrival at the Gold Coast—when we remember that on the 3rd of October, when he arrived to take the command of the forces then on the West Coast, he found himself at from 150 to 200 miles from the head-quarters of the enemy whom he had to reach; that he found himself separated from that enemy by an almost impenetrable bush; and found himself without roads of any description. From the 3rd of October up to the middle of November he was continually engaged with warlike tribes who opposed his advance; yet with no European forces but Sailors and Marines, he had so far conquered all opposition, that by the 25th of November he had driven the Ashantees back

beyond their own frontier of the Prah. When we recollect the circumstances, my Lords, I think we see in the proceeding a fitting commencement of operations afterwards so brilliantly executed. But, in addition, Sir Garnet Wolseley had before him a consideration which might have appalled a less daring man—that, unless all the operations were completed, and he could bring his men back before the middle of March, a pestilential climate and swollen rivers must prevent him from getting them back to the Coast. It is now a matter of history that he overcame all the difficulty, and conducted back his victorious troops before the fatal season.

My Lords, as I have said, up to a certain period Sir Garnet Wolseley had only a small force of Sailors and Marines: but now comes the time when Her Majesty's troops from this country arrived upon the Coast. My Lords, so admirable were the preparations made by Sir Garnet Wolseley for the advance of the troops, that immediately on their arrival they were sent forward into the interior:—when they commenced their march through the bush they found a road cut and huts erected and depôts of provisions established along the line of march, so that they were able to fight their way on without being exposed to privations or to those disasters arising from want of provisions or from exposure to a pestilential atmosphere which would have been sure to await them but for those timely and effective preparations. When we remember the difficulties of transport in that country we shall greatly admire the arrangements made by the gallant General; because we see by a despatch from Commodore Hewitt how little reliance could be placed on the native Kings or Chiefs. The gallant commander called a number of them together and told them that unless they provided men to carry the supplies, the troops who had come out to fight their battles could not advance—yet, though they had promised faithfully that these should be ready, in one night no fewer than 900 of those baggage carriers deserted from their posts. It would be an oft-told tale were I to repeat particulars of the gallant exploits performed by our forces on every occasion when they have been engaged in war; but I venture to think our gallant forces were never more

severely tried than during these operations. They had to encounter a foe of whose numbers they were ignorant, only that they were fighting against odds of which they had no knowledge, and a foe who had a perfect knowledge of a country of which they were themselves perfectly ignorant; they had to force their way through an almost impenetrable bush, exposed to perils of an almost deadly climate. Nothing but perfect discipline and that confidence which British troops always repose in their leaders could have enabled the Soldiers, Marines, and Sailors to go through what they did on this expedition. My Lords, I think it is matter of satisfaction that in those operations representatives of all our war forces, with the exception only of the cavalry, took a part, and that the Marines and the Sailors fought as well on shore as if they had been fighting on board ship.

And here, my Lords, I think it due to those Services, to recognize that their services did not commence only when Sir Garnet Wolseley arrived to take the command. So far back as the month of June very gallant and important services were performed by the Sailors and Marines in repelling the enemy and defending the fort of Elmina; and I think I should not be doing justice to the gallant officers and men of that Service unless I mentioned briefly some of the services they rendered. Your Lordships are aware of the services of Colonel Festing; but as that gallant officer commanded in the engagements which preceded the arrival of Sir Garnet Wolseley, he cannot express the opinion of his own deeds which we know they merit; but no one can read his despatches without realizing the fact that the greatest possible thanks and praise are due to him and those who acted under him. But Colonel Festing can and does speak of those who supported him, and I ask your Lordships' permission to read a passage in one of his despatches which refers to a naval officer, the appearance of whose father (Lord Cottesloe) as a Member of your Lordships' House we have all hailed with much pleasure. From the 4th of January down to November, the Marines and Seamen of the Navy were engaged under Colonel Festing. Captain Fremantle was the senior naval officer on the station, and Colonel Festing thus speaks of him—

"From the moment we took the field, and any of his own men were landed, Captain Fremantle, R.N., without any hesitation, most unreservedly placed them under my orders, at the same time coming himself and adding his valuable services; this step put matters on a good footing and allowed of no divided directions."

Again, my Lords, Colonel Festing expresses his thanks in these terms—

"I beg leave to express my best thanks to Captain Fremantle and to his officers and men for the great assistance they have rendered in those engagements, and may I venture to add my admiration of the personal gallantry displayed by him when cheering on his men within pistol-shot of the enemy?"

My Lords, I need say no more as to the Sailors and the Marines. I think they fully maintained their ancient prestige and that the latter justified their motto, *Per mare, per terram*. When we come to the Land Forces we have to deal with three most distinguished regiments of Her Majesty's Service—the 23rd Royal Welsh Fusiliers, the 42nd Highlanders, and the 2nd Battalion of the Rifle Brigade. Your Lordships will be satisfied by the mention of such names that the honour of this country was in safe keeping. Having thus done justice to the European troops, I should be unwilling to pass over the service of the Native troops, and of the gallant officers by whom they were raised and organized;—and while referring to the latter I cannot omit to mention Captain Glover. My Lords, it may not be generally known that this gallant officer has served in all parts of the globe since about the year 1841. In 1863, he was appointed Administrator on the Gold Coast, and he remained there from that time. He organized the Native force known as the Houssas, and I believe he is best known in that country as "the Father of the Houssas." In 1873, he offered his services in this affair with the Ashantees, and they were accepted by the noble Earl the late Secretary for the Colonies. Captain Glover set about raising a force specially for the expedition, and in the course of three months did get together about 20,000 of the Natives. But unfortunately it turned out that he was dealing with a class of men who could not be relied on as soldiers. When he commanded them to advance into the enemy's country they distinctly and decidedly declined to obey, and he was left with a force consisting of only 700 of his own Houssas. But,

though finding himself in such an embarrassing predicament, he did not hesitate to lead on his 700 faithful followers and between the place whence they started and Coomassie, they engaged several fighting parties of the enemy—some of them, tribes who attacked him with much larger numbers—but he defeated them all and reached Coomassie about the time it was taken by the force under Sir Garnet Wolseley, but there can be no doubt that the way in which he had shown himself on the advance to that town, and his arrival at that juncture, had very considerable influence on the King in his dealings with Sir Garnet Wolseley. Whether that were so or not, there can be no doubt that Captain Glover did good service in this war.

My Lords, it is impossible to name all the officers who distinguished themselves, and it seems invidious to make a selection, where all have vied with each other in the gallantry and devotion of their conduct, but perhaps I may be pardoned if I allude to a noble Lord who is a Member of your Lordships' House and also a relative of my own (Lord Gifford), and who exhibited much skill, zeal, and intelligence in leading a very useful body of scouts. He is a very young officer, and was without any very great experience in the field. I cannot, then, conceive a more difficult position than he must have found himself in, when leading through a country of that kind those irregular forces and doing such good service.

Having, my Lords, alluded to the various points which afford us cause for so much satisfaction, I must come to that dark side of the picture which, even on occasions like the present, we cannot leave wholly out of view. I am sure I need not bespeak the sympathy of your Lordships for those afflicted persons who are now mourning the loss of some relative or attached friend whom they shall see no more. It may be that some of your Lordships had a relative or a friend who fell during those operations, or if you are more fortunate, it is but too certain that you are acquainted with those who have lost relatives and friends in this war. Young and ardent and full of the hope of distinguishing themselves, some have succumbed through fever or by the bullet of the enemy. Your Lordships regret their loss and sympathize

with their relatives and friends, but they are not less deserving of the gratitude of the nation.

My Lords, I ask your Lordships to express a feeling of thankfulness for the great deeds achieved by your countrymen, who in Western Africa have maintained the glorious name that has ever signaled our forces in every quarter of the globe, under every combination of circumstances, and against every description of foe. The noble Duke concluded by moving the Resolutions.

The Resolutions having been read by  
The LORD CHANCELLOR,

EARL GRANVILLE: My Lords, I consider it one of the highest privileges of this House, and certainly one of the most agreeable, to co-operate with the Sovereign and the other House of Parliament in acknowledging on behalf of the country great services rendered by our military and naval forces whenever unfortunate necessity calls for their exertions; and it certainly is a great honour for any individual to be permitted to propose such a Vote of Thanks or take a part in proposing it, I have, therefore, great pleasure in seconding the Motion of the noble Duke. My Lords, probably owing to the very great liberty of discussion which happily prevails in this country, there is sometimes a danger, in talking of our military affairs, of indulging in exaggeration on the one side or the other—sometimes speaking in terms of decided and unfounded depreciation, and at other times in exaggerated terms of particular acts of our Army and Navy—as if the success of our arms were in fact a novelty. It is, therefore, a subject of special satisfaction that, in dealing with this question, my noble Friend the noble Duke, in his singularly lucid statement—in which I think he has given your Lordships a most skilful sketch of the campaign and the difficulties encountered by our forces—did not, as it appears to me, use a single word going beyond the merits of those engaged in it. With regard to Sir Garnet Wolseley, I believe your Lordships will agree with what has fallen from the noble Duke. It was the simple and naked truth. The noble Duke spoke of one peculiarity of the gallant General's conduct of the affair—namely, the rapidity and promptness with which it was carried out. Your Lordships are

aware that when Sir Garnet Wolseley was asked and willingly consented to go to the Gold Coast he gave up a high office in this country to undertake a command in which there was no great hope of his acquiring additional distinction; but it did afford him the opportunity of again displaying the peculiar qualities which he has more than once exhibited. It is only four years ago, in July, 1870, that Sir Garnet Wolseley consented to lead an expedition of some 1,100 colonial troops to the Red River. He then had one of the most difficult tasks to perform which possibly could have fallen to the lot of an officer, and celerity was then as important an element in what he had to do as it was during the late campaign. In the one case he had to insure that his army should not be detained by the snows of the North; in the other, he had to provide against the sultry heats of a West African climate. He succeeded then as signally as he has succeeded now. There was one word used by the noble Duke in his address which does not appear in the terms of the Resolution, and which seems to me to have a singular significance. It is the word "foresight." I think foresight had more to do with what Sir Garnet Wolseley accomplished in both these expeditions than even the skill and gallantry with which his plans were carried out. I have never known a case in which a campaign was so completely planned from the beginning, and carried to a successful end by the General who conceived it. My Lords, I believe it was the knowledge of those great qualities of Sir Garnet Wolseley which created so strong and general a desire on the part of the officers to be engaged with him in this Ashantee War—which of itself had no temptation for soldiers, and in which no great military reputation was to be gained—I believe the sole inducements were the interest they took in their profession, and the confidence felt in the man who was to have the command. With regard to the conduct of those officers, in respect of which the noble Duke has so well expressed himself, I shall only say that, whether we regard them as volunteers, or consider the way in which they performed the parts allotted to them, it would be impossible to say too much. The whole conduct of the British officers was admirable. With regard to the Navy and

the Marines, the noble Duke referred to the way in which they fought on land. I think, my Lords, there is an *esprit de corps* which makes them anxious to show that they can fight as well by land as by sea, and therefore, my Lords, I think we ought not to forget—and this is applicable to both arms—the excellent cordiality and co-operation of the two services. My Lords, with regard to the non-commissioned officers and privates, I think not one word too much can be said. It is true that this cannot be regarded as a great war—one in which our troops would have had to meet a civilized and well organized army; but I am not sure whether it did not afford even a stronger test of the qualities of the men engaged. Discipline and endurance they were sure to display; but I am not certain whether the sort of fighting required in this warfare is not the greatest test of each individual man. Very rarely indeed have regular troops been successful in bush-fighting. Such was the character of the fighting in this case. Hardly ever in sight of their officers, hardly seeing more than one or two of their comrades by their side, hardly able to see the enemy they were attacking, it did require great confidence in their officers and great self-reliance and courage to perform what our men did. I was glad to hear the compliment which the noble Duke paid to Captain Glover, and also his allusion to a noble and gallant officer. It is difficult to select names where all did so well; but there is another officer whom in justice to the Indian Army we must remember—I allude to Captain Sartorius. My Lords, it is impossible for me not to say one word on the melancholy topic to which the noble Duke alluded. I do not know a case in which it is more difficult to say anything which can afford consolation to those who are mourning relatives or friends; but it is, at least, some consolation to the country to feel that the loss was smaller than, owing to the unhealthy nature of the climate, any of us could have ventured to anticipate. There is another consideration, also, that in great wars the mortality is so great that the individual loss is not so marked in the public mind; but in this case I doubt whether in England, Scotland, or Ireland, there is anyone who is not aware of the names of those who have fallen in this short and successful cam-

paign and of their services; and we have also the consolation of knowing that, by the foresight of Sir Garnet Wolseley and of the authorities at home, all the resources of surgical skill, and all that good nursing and nourishment could supply to alleviate their sufferings, was provided for those who were sick or wounded. My Lords, I have not the slightest doubt that your Lordships will give the additional value of unanimity to the Vote of Thanks proposed by the noble Duke.

THE DUKE OF CAMBRIDGE: My Lords, though I do not doubt for a moment that, in the words of my noble Friend who has just addressed your Lordships, this House will pass with unanimity the Vote proposed in such admirable terms by my Friend the noble Duke, still, I may be permitted to add a word, in order that, as head of the Army, I may express my sense of the manner in which this operation—small though it may be called, but yet important—has been performed by the gallant General and troops whom Her Majesty this morning honoured by reviewing them. My Lords, I said this war was a small one, and so it was, so far as the numbers engaged; but the difficulties were as great, if not greater, than in the case of a large army placed in the field. Everything had to be learnt by the General and his troops. You may call it an unknown country. I believe that not a road laid down in any map was correct; the distances were not known; everything had to be explored; and within the short period of three months all the white troops must be brought on the land and got off again, because the climate was such as would in a few months kill any white man who remained there; and that was a circumstance of which the enemy would be sure to take advantage. All those obstacles were overcome, and the gallant General and his troops have proved to this country and the world that British troops can go anywhere if only they have reliance on the spirit of their officers—which was the case on this occasion, which has been the case on all occasions, and which I am satisfied will always be the case as long as the same high spirit exists among us. I know it has been said that the spirit of the nation is no longer what it was. I rejoice to think that there is no ground for that

assertion—this expedition has shown that the spirit of the nation is exactly what it always has been; and as to the Army, the only difficulties the authorities had was to know how to choose the few officers required from the large number who came forward—men in the enjoyment of health, and of position in society—who were anxious to do their duty by their country, and show themselves worthy of the Services to which they belong. I can answer for it that in the applications to go to the Gold Coast we had the greatest difficulty to know whom to select to go and whom to keep quiet at home. So far as regards the anxiety of officers. As regards the troops, they went with cheers to an arduous, a dangerous, and a deadly undertaking. They were only delighted to be sent, and they went with that spirit which carried them to Coomassie, and has brought them back in triumph within so short a time. The noble Duke (the Lord President) alluded to the cordial feelings which existed between the Naval and Military Forces. It so happened that the contest commenced at a period when it was impossible for Europeans to remain on the coast except for a few hours at a time, and therefore there was no alternative but to leave the first brush to the Marines. We had the advantage of having there a most distinguished officer, Colonel Festing. No man could have performed his duties more admirably. I rejoiced when I heard the tribute borne by my noble Friend the noble Duke to Captain Fremantle, who, owing to the illness of Commodore Commerell, was the senior Naval Officer, and who so readily gave up his command in order that Colonel Festing should have the control of the whole force that was then upon the Coast. It was during that period the Royal Marines and the Sailors of the Navy were engaged, and performed their duty so well. I think, my Lords, I ought not to omit to mention the services of the 1st and 2nd West India Regiments, who performed efficient service during this campaign, though the circumstances in which they were placed prevented them from receiving the same distinction as the others have done to-day. The conduct of these troops was admirable. But there were others of the Native Forces that were unfaithful, and who left their officers to their own resources. My Lords, when Sir Garnet

Wolseley went to the Gold Coast, accompanied by the officers who went out with him, there was this further difficulty—that several of those gallant gentlemen were employed in raising Native levies, and were left very much to themselves. The unsatisfactory nature of this duty is shown by the case of Captain Glover, who, after raising a force of 20,000 men, was left with his 700 Houssas. Those officers really had a most difficult task. They were sent to raise the Native tribes on the Coast, and it is not surprising that they could not perform the same service with these materials as they might have done had they had their own troops to command. Every sort of promise was made to them; but those promises were forgotten, and they were left to take care of themselves. One of these officers, Captain Butler, has returned in bad health, I believe, but I hope he may soon be sufficiently restored to reap the reward to which he is fully entitled. Those gallant officers acquitted themselves well of the task assigned to them. The falling away of his Black levies did not prevent Captain Glover from completing the part in the operations that Sir Garnet Wolseley had assigned to him, and it is impossible not to see that not only must the movement of Captain Glover have had a very great moral effect, but that the efforts of other officers who with their troops were not actually present at the taking of Coomassie very materially contributed to the result finally obtained by the expedition. I can only say, that so long as that spirit continues that now animates our Army and Navy it will be impossible to be otherwise than proud of our country. The sentiment which filled the minds of the troops was that of perfect confidence in their officers:—And why? Because they knew that their officers had a thorough knowledge of their duties—that they knew how to control their men—that they would be well treated—that everything would be done not only to ensure success but to provide for their personal welfare and comfort. Now, so long as English gentlemen lead English soldiers, so long will the feelings of the British Army and Navy be sound to the core. It is the foundation of good professional service. I wish, my Lords, to mention that the distinguished Regiments which were sent out from this country—the 23rd Welsh Fusiliers, the

42nd Highlanders, and the 2nd Battalion of the Rifle Brigade—were not selected for the duty—they were sent out because they were the first three on the roster. It would have been a great indecorum of my noble Friend (Viscount Cardwell) or myself if either of us had selected them, for our land and sea forces are so constituted that those troops who stand first for service are as reliable as any troops we could have selected. Those three regiments were sent because they were the first three for service, and I am certain that if three regiments that had not had the good fortune to be so distinguished in every part of the globe had been sent out on this occasion, the same excellent performance of duty would have been seen; but it did so happen that the regiments despatched for this service were regiments that had done good service and had distinguished themselves in every quarter of the globe. I am sure, my Lords, that the position of some of the officers who were not able to get to the front must have been of a painful kind, because in the front, excitement keeps up men's spirits, and they do not feel what they have to go through—yet those troops that were not landed, or were kept behind, maintained their discipline and *morale* as perfectly as if they had been kept at home. My Lords, we must all be pleased to see so many of those who went out, back among us and looking so well. I was down at Windsor to-day, and assure any of your Lordships who were not there that it would have done your hearts good to see the three distinguished regiments to which we have been referring. I assure your Lordships that at this moment they look so fit for service that I should not hesitate to set sail with them to any place to which the country might wish to send us. I must say that as long as the composition of the Army is such as that of the battalions that paraded before Her Majesty this morning, Her Majesty will be well and faithfully served—the country may justly be proud of our naval and military forces, and your Lordships will never repent having voted to them the Thanks of this House. With regard to Sir Garnet Wolseley, no doubt he is a most fortunate man, and I believe he would be the first to admit it. He is fortunate in having had opportunities of distinguishing himself, but he has always availed himself of those opportunities,

and shown the true spirit and instincts of a soldier. I hope I may be permitted to say that he himself told me when he came home that there was not a single thing he had required for the use of the troops which had not been liberally placed at his disposal. My Lords, I feel certain that the greatest liberality is the greatest economy in such a case, and I am sure that this House will participate with the other House of Parliament in expressing approval at the way in which the Expedition has been conducted, and satisfaction at the successful return of our gallant troops.

### Motion agreed to.

*Resolved, nemine dissente,* That the Thanks of this House be given to Major-General Sir Garnet J. Wolseley, Companion of the Most Honourable Order of the Bath, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, for the exemplary skill with which he planned and the distinguished courage, energy, and perseverance with which he conducted the recent Expedition into Ashantee, resulting in the expulsion of the enemy's army from the British Protectorate, the defeat by Her Majesty's Forces of the Army of the King of Ashantee, and the capture and destruction of Coomassie :

*Resolved, nemine dissente,* That the Thanks of this House be given to—

Commodore John E. Commerell, Royal Navy, Commander of the Most Honourable Order of the Bath, Victoria Cross.

Commodore William N. W. Hewett, Royal Navy, Victoria Cross.

Captain the Honourable Edmund R. Fremantle, Royal Navy, who was in temporary command of the Squadron, and

Colonel Francis W. Festing, Royal Marine Artillery, who was in temporary command of the Troops on the Gold Coast,

for the distinguished gallantry, indefatigable zeal, and great ability which they displayed in conducting the Operations on the Gold Coast, and to all the above Officers for the cordial co-operation which they afforded to Her Majesty's Land Forces :

*Resolved, nemine dissente,* That the Thanks of this House be given to Brigadier-General Sir Archibald Alison, Baronet, Commander of the Most Honourable Order of the Bath, and to all the other Officers of the Navy, Army, and Royal Marines who have taken part in the Operations on the Gold Coast and the Expedition to Ashantee, for the energy, gallantry, and ability with which they have executed the various services which they have been called on to perform in a most unhealthy climate :

*Resolved, nemine dissente,* That this House doth highly acknowledge and approve the discipline, gallantry, and endurance displayed by the Petty Officers, Non-commissioned Officers, and Men of the Navy, Army, and Marines, whether employed in the front, on the line of communications, in reserve on land, or off the

coast, and that the same be signified to them by their respective Commanding Officers :

*Resolved, nemine dissente,* That the Thanks of this House be given to Commander John Hawley Glover, Royal Navy, for the energy, courage, and ability with which as Her Majesty's Special Commissioner to the Eastern Tribes of the Gold Coast, and with the aid of other gallant Officers of the Army and Navy, he led a considerable Native force from the River Volta to Coomassie, thereby largely conducing to the success of the main operations under the Major-General commanding :

*Resolved, nemine dissente,* That this House acknowledges with admiration the distinguished valour and conduct of those who have perished during the operations against the Ashantees in the service of their Country, and desires to express its deep sympathy with their relatives and friends : (*The Lord President*).

Ordered, That the Lord Chancellor do communicate the said Resolutions to Major-General Sir Garnet J. Wolseley, and that he be requested by the Lord Chancellor to signify the same to Commodore John E. Commerell, Commodore William N. W. Hewett, Captain the Honourable Edmund R. Fremantle, Colonel Francis W. Festing, Brigadier-General Sir Archibald Alison, and Commander John Hawley Glover, and to the several Officers of the Navy, Army, and Royal Marines who served in the said Expedition.

### THE GOLD COAST—FUTURE POLICY OF THE GOVERNMENT. QUESTION.

EARL GREY said, he understood it was the intention of the noble Earl the Secretary for the Colonies to make a statement as to the intention of the Government with respect to the Gold Coast, and he wished to ask the noble Earl, Whether he was now prepared to make that statement ?

THE EARL OF CARNARVON : I think the noble Earl (Earl Grey) must have somewhat misunderstood me in a conversation I had with him. I think your Lordships will agree with me that this is not the time to make such a statement as the noble Earl seems to anticipate—an exposition of the intentions of Her Majesty's Government as to our future policy on the Gold Coast. Before we arrive at a conclusion on so serious a subject, there are many views to be taken and many considerations to be weighed ; and from time to time, even within the last few days, information has been coming which makes me feel how very imprudent it would be to state to the House the intentions of Her Majesty's Government on so serious a question. But I may make a short statement



of the present position and of the measures adopted for what may be called the provisional government of the Gold Coast. It may be convenient to the House that that statement should be made, and I am so far glad that my noble Friend has asked this Question. There is this further reason, perhaps, for stating nothing positively at this moment—that the Treaty which it was one of the main objects of Sir Garnet Wolseley to obtain from the King of Ashantee is not yet signed. When that signature will be given, and the Treaty completed, it is, of course, impossible to say. Africans, under any circumstances, are slow in action; they do not consider the value of time, and, therefore, I attach, perhaps, less weight to it than I should to similar action on the part of civilized Powers. If I remember rightly, it took the King something like five years after the first great war of 1826 before he could finally make up his mind to sign the Treaty, which is almost the only one now in existence regulating our relations with the Ashantees. It must also be borne in mind that the whole civil life of the Settlement is in abeyance. Though the war is concluded, the civil life of the colony has hardly recommenced, and till that commences it is impossible to speak with any precision or certainty as to the future. I may, however, state, as regards the number and disposition of the troops on the Gold Coast, that, so far as we can judge, they are amply sufficient to provide means of defence. The 2nd West India Regiment was under orders to sail, and has probably left the coast. The 1st West India Regiment is detained there for the present, but only provisionally, until matters can be held to be in a settled condition. The total strength of that regiment is 550, of whom 150 will proceed to Sierra Leone; so that the total force which will be available will be 400 men. In addition to that there are about 600 armed police, who will be scattered on various parts of the coast and inland stations, with a view of maintaining order and securing the peace of the district. I may take the opportunity of observing that the detachment stationed by Sir Garnet Wolseley—I think very prudently and discreetly—half way between the Prah and the coast, and at a point on that river itself, will keep open those paths where the Ashantee traders come

down from the interior to trade, the closing of which has often been the subject of great and, I believe, legitimate complaint, and where they have suffered serious molestation, amounting sometimes even to murder. Other detachments will keep open the mouth of the rivers—the Volta and the Adda—and regulate our relations with those refractory and rather lawless tribes on the eastern part of the Protectorate, who have given so much trouble, and might easily be inclined to do so again if they had the opportunity. Under present circumstances, it is no doubt desirable that a military officer should be in command for some little time to come, or, at all events, that the officer governing the Settlement should be a military man. It is rather sad to say; but Sir Garnet Wolseley offered this post to no less than four officers in succession, who thought themselves obliged, under the circumstances, to decline it. At last, Colonel Maxwell, of the 2nd West India Regiment, undertook the charge; but I regret to say that his state of health has rendered it necessary for him to come home, and the administration will, for the present, be placed in the hands of a distinguished officer on that coast (Captain Deedes), who has been Administrator once before, and is Collector of Customs at Lagos. It is obvious that no good government can exist unless there be an adequate revenue, and, of course, affairs on the Gold Coast have undergone during the last 12 months so complete a dislocation and disturbance that the financial well-being of the colony might be presumed to be equally disturbed. Such, however, does not appear to be the case. There has for many years been a steady rise in the revenue of the settlement; and even in this year of disturbance there seems every probability that the revenue will show a considerable surplus over the expenditure. The figures are so striking that I may, perhaps, be allowed to mention them. In 1862, the total revenue of the Gold Coast was very little above £9,000; five years after it had only increased to £10,800; but in the following year it was £18,000, the next year £24,000, and the next £30,000, while in 1871 it was very nearly £29,000, and in 1872, £40,000—having more than quadrupled in ten years. This last year, in spite of exceptional disturbances, it was estimated to produce something like

£52,000, while the expenditure is set down at about £40,000. The exports and imports tell very much the same tale. The imports in 1862 were of the value of £145,000, and in 1872 they had nearly doubled, being £260,000. The exports in 1862 were £100,000, and in 1872, £385,000, having nearly quadrupled. My belief is that there is considerable power on that Coast to enlarge the revenue; and it must be borne in mind that the uniform duty which it was the object of the noble Earl opposite (Earl Granville) to produce when the transfer of the Dutch forts was made ought to produce a very much larger sum in years to come than at present, when it has hardly had time to be brought into play. These are the main points which it is necessary at present to lay before the House. I am sure your Lordships will not expect me to state at this moment the future intentions of the Government as to the Gold Coast. It is a matter requiring the greatest consideration. On the one hand there are doubtful gains, the chances of wars like this, the terrible loss of life, the fatal character of the climate; on the other hand, there are obligations which cannot be wholly overlooked; and the question is, how far all these things can be reconciled into a harmonious and consistent system of government, under which you might maintain what interests you have on the Coast, exercise what duties you have, and, above all, put yourselves in a position to see your responsibilities and liabilities, whatever they may be, in a clearer light than has been the case for many years. Whatever may be the ultimate result, that is a point which I shall desire to keep in view—namely, to define a little more carefully our relations with the different tribes, the nature of our obligations to them, and our moral liabilities. The information from time to time coming in, may modify many of our conclusions, but meanwhile we require time to consider carefully and dispassionately the different questions which will naturally arise in connection with this matter.

THE EARL of LAUDERDALE was sorry to find that our force on the Coast had been reduced to nearly the same number as before the war began. In his opinion a considerable naval force and the West India regiments should have been left until some sort of settled

government had been formed in the Protected Settlements.

THE EARL of CARNARVON said, his noble Friend had misunderstood him. What he said was that 400 men would be stationed at different points; and that, in addition, there would be 600 armed police—making a total of 1,000 men.

THE EARL of LAUDERDALE was glad to hear that statement. There should be on the Coast a considerable force until the Native tribes were induced to form that federation which had been attempted before the war, but which was mismanaged and fell to the ground. He wished to state that the Fantee men were the greatest cowards on the face of the earth, but that the Fantee women had come forward and supported the British forces in such a way as that but for them it would have been difficult to reach Coomassie. He hoped that the Government would let those women know that we were aware of the great service they had done. They carried a large portion of the ammunition and provisions for the troops; and at the commencement of the war they sold their gold ornaments, and subscribed money to buy powder and lead.

EARL GREY expressed a hope that before the close of the Session the noble Earl (the Earl of Carnarvon) would take an opportunity of bringing clearly before the House the policy Her Majesty's Government intended to pursue with respect to the Gold Coast Settlements, and that their Lordships would also be afforded an opportunity of considering how it was that the war had been brought upon us. It could not but be satisfactory to their Lordships' House and to the country that an understanding should be arrived at both with respect to the future and also in reference to the circumstances out of which the war had originated.

House adjourned at half-past Six o'clock, to  
Tuesday the 14th of April next, at  
half-past Four o'clock.

## HOUSE OF COMMONS,

*Monday, 30th March, 1874.*MINUTES.]—SUPPLY—*considered in Committee*

—ARMY ESTIMATES; NAVY ESTIMATES.

PUBLIC BILLS—*Ordered—First Reading*—Building Societies \* [55]; Prison Ministers Act (1863) Amendment \* [58]; Archbishops and Bishops (Appointment and Consecration) \* [56]; Poor Relief (Ireland) \* [57]; Fines, Fees, and Penalties \* [59]; Conveyancing and Land Transfer (Scotland) \* [60]; Landlord and Tenant (Ireland) Act (1870) Amendment (No. 2) \* [61]; Local Government Provisional Orders \* [62].*Second Reading*—Public Works Loan Commissioners (Loans to School Boards) \* [46]; Cattle Disease (Ireland) \* [52].*Considered as amended*—Middlesex Sessions \* [29].

## METROPOLITAN BOARD OF WORKS

BILL. (*by Order.*)

## SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Colonel Hogg.*)

LORD EDMOND FITZMAURICE, who had given Notice of an Amendment "that the Bill be read the second time that day six months," said, that he did not intend to press that Motion, as he had been able to come to an arrangement with the Chairman of the Metropolitan Board with reference to the Bill, which dealt with multifarious matters. He left that part of it which related to Finsbury Park to the hon. Members for Finsbury. The provisions in it to which he objected threw upon the metropolitan rates the cost of certain structures which were erected in Hyde Park and on the Holborn Viaduct by the Metropolitan Board of Works on the occasion of the National Thanksgiving in 1872. Objection to these erections at the public cost had been taken at the time by the noble Lord the Member for Haddingtonshire (Lord Elcho), and himself (Lord Edmond Fitzmaurice.) Notwithstanding that, the expenditure took place, and upon the objection of several ratepayers it was disallowed by the Auditor; but owing to a flaw in the Metropolis Local Management Act it was not easy to recover the amount so disallowed. Recourse was then had to the Court of Chancery and at this moment a suit was pending on the subject. Hence his

chief ground of objection to the Bill, for it seemed to him that for that House to step in when a suit was pending in the Court of Chancery, and by an off-hand use of its jurisdiction practically to prevent the Master of the Rolls giving his decision, was a most unheard-of proceeding. It was the 20th clause of the Bill which proposed that the sum disallowed by the Auditor should be paid out of the rates. The 21st clause, so far as he could understand, proposed that the Metropolitan Board of Works should have power to impose similar charges in future, for it relieved the Members of the Board of Works from all personal liability for any act whatever done by the direction of the Board, and the 22nd clause, which consisted of six sub-sections, gave an appeal to the Board from the decision of the Auditor to the Court of Queen's Bench; and by the fifth clause an alternative appeal to the Secretary of State. He (Lord Edmond Fitzmaurice) had gone into this matter with the Chairman of the Metropolitan Board (Colonel Hogg), who had met him, he must say, in the most frank, fair and straightforward manner, and had immediately agreed that this alternative appeal to the Secretary of State should be given up *in toto*, and that the power of appeal given by the 22nd clause should be extended to every ratepayer in the Metropolis, so as to give the same rights to ratepayers against the Board, as it now gave to the Board against the ratepayers. The Chairman of the Board had also agreed to give up the 21st Clause entirely, and to insert words at the end of Clause 20 providing—

"That nothing in this Bill contained shall give any powers to the Metropolitan Board of Works, Vestries, or District Boards to incur expenses and charge them to the rates beyond those contained in any existing Acts."

Each party to the suit would bear its own costs. The Board saw that they had made a mistake, and he now thanked the Chairman for the honourable way in which he had met him in the matter. The suitors had agreed to the compromise, believing it to be a fair one, and were prepared to withdraw from the suit in Chancery. Under these circumstances he trusted that the House would allow him to withdraw the Amendment of which he had given Notice. At the same time, he wished to point out the

practical inconvenience of which this Bill was a fresh instance, of mixing up heterogeneous matters in an "omnibus" Bill, and of incorporating important public legislation in what was only a Private Bill.

MR. GOLDSMID also bore testimony to the very fair manner in which the Chairman of the Metropolitan Board of Works had agreed to strike out all that was most objectionable in that part of the Bill to which the noble Lord had referred, and especially that portion of it which appeared to give power to impose on the rates in future expenditure similar to that which the Auditor had disallowed. It had also been agreed that Clause 22 should be modified, so as to give a fair and equal right of appeal to the Court of Queen's Bench both to the ratepayers and to the Board against the decision of the Auditor. He was, on the whole, satisfied with the agreement that had been come to, and therefore thought the noble Lord had exercised wise discretion in not moving his Amendment.

MR. W. M. TORRENS said, he objected to that part of the Bill which related to Finsbury Park, and had no other course but to oppose the Bill altogether. He objected to that part of the Bill, because, as described in the "title," it contained powers nominally to make a road "near" Finsbury Park, when, in fact, it proposed to make an encroachment on the limited area of 126 acres set apart for the public. He had no other means of protecting his constituents but to move that the Bill be read a second time that day six months. The word "near" meant outside, not inside, and in this respect the Bill was delusive. If the House overlooked measures with deceptive and misleading titles like the present, he should like to be informed where they would come to in a short time. This was by no means a new question. It had been fought before both in the last and the preceding Parliament. It would be a gross and a glaring injustice if the Bill were allowed to pass in its present form. The road which the Board of Works sought powers to make was through a portion of the Park, and not, as the Bill would lead people to believe, near its boundary. He hoped the House would support his Amendment and negative the second reading.

MR. LOCKE seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. W. M. Torrens.*)

COLONEL HOGG asked the House not to refuse to give a second reading to the Bill. With regard to the word "near" used in the title of the Bill, and objected to by the hon. Member for Finsbury as deceptive and misleading, he would beg to point out that a Bill was not construed only by its title, and he would assure the House that in framing that title the Metropolitan Board of Works had no intention to deceive or mislead Parliament or the public. He trusted that the Bill would be permitted to go before a Select Committee and be tried in due form. Being an "omnibus" Bill this was all the more essential, inasmuch as apart altogether from the question of the Finsbury Park Road, the measure was designed to deal with other important matters, such as the inclusion of the South Hornsey district in the metropolitan system of sewage, and the improvement at Newington Butts, where a church was to be removed and the thoroughfare widened. The Metropolitan Board had no wish to take away from Finsbury Park any portion of the ground of which it was originally proposed that it should consist. By the Act of 1857, 116 acres were set apart for the Park, out of which 20 were allotted for building ground; but, instead of building on those 20 acres, the Board decided on having them thrown into the Park. He might add that the Bill of 1857 was opposed in the strongest manner by certain landowners, to whom concessions had to be made. The Board gave them rights of way through the Park; but the landowners who had pasturelands to the west and north insisted on the Park being kept open by night as well as by day. Now, in the daytime it was found very inconvenient by the women and children who frequented the Park that cattle should be driven through it at all sorts of hours; while during the night cases of immorality were frequent—he could give an idea of the extent of this evil by the statement that there had been about 40 cases of prosecution within the last 12 months. The road now proposed skirting the Park on the northern



and western sides, would not only be a great convenience to the neighbourhood, but would help, by providing a more direct and better lighted access, and by enabling the gates to be closed at night, to diminish those cases of immorality which had been so much complained of. That was an evil which the Board deemed it to be their duty to use their best exertions to remove, and the whole ground which would be taken away from the enjoyment of the public in order to secure that object would not be more than four and a-half acres. As to the question of the construction of seats in Hyde Park and the Holborn Viaduct on the occasion of Thanksgiving Day, and the disallowance of the expenses by the Auditor, he could assure the House that the Metropolitan Board of Works had never proposed to themselves to erect any structures upon ground outside their own jurisdiction. He would state exactly what the facts were. Previous to the Thanksgiving Day it was notified to the Board that Her Majesty intended to return along the Embankment, and they, as the local authority, had to consider what it became them to do on such an occasion. After due deliberation the Board decided to erect seats, not for themselves as had been stated, for they had places in St. Paul's, but for the accommodation of members of vestries, and district boards. Contracts were entered into, the timber was on the ground, and the work actually begun when it was notified that the route had been changed. Under these circumstances great disappointment would have been caused, and a considerable sum of money wasted, had not Mr. Ayrton, the First Commissioner of Works, kindly offered a site in Hyde Park which was gladly accepted, and the stands were transferred to Hyde Park from the Embankment. He thought the Metropolitan Board of Works had ample precedents for what they had done. He held a list of 10 in his hand, but would only mention three. In 1863, when the Princess of Wales, then the Princess Alexandra, made her triumphant entry into London, seats of a similar character to those which had been disallowed were erected. The expenditure on that occasion was allowed by the Auditor, and no one made any objection. Again, in 1865, on the opening of the Sewage Works, in the presence of the Prince of Wales and

Members of both Houses of the Legislature, and in 1870, when the Victoria Embankment was opened by His Royal Highness, seats were erected, and the Auditor then also allowed the expenses. No doubt the Auditor had disallowed the expenditure incurred on the occasion of Thanksgiving Day, and a few ratepayers thought it their duty to put the Metropolitan Board of Works in Chancery for the purpose of compelling them to pay the amount out of their own pockets. But, in the face of the House of Commons, he said it was not fair to so mulct a body of gentlemen who had devoted their time and talent gratuitously to the public concerns, and with what success those who looked at what had been done throughout London for the last 16 years would be able to judge. Perhaps, misled by the precedents, the Metropolitan Board had erred in this expenditure: perhaps, on the other hand, the Auditor—a most honourable man—had erred in disallowing it, and what the Bill proposed was that for the future where the Auditor disallowed any amount there should be an appeal to the Court of Queen's Bench. If the Bill went before a Committee, the Board of Works would be prepared to go fairly into the discussion of that question; but they determined boldly to come before the House of Commons, in the confident hope that if they had erred in following precedent in this matter they should not appeal in vain to it, not to permit the error of the body to be turned into an injustice to the members.

MR. LOCKE pointed out that, with regard to the proposed new road at Finsbury Park, there was a serious discrepancy between the clause in the Bill and the details of the plan. Instead of skirting the Park, it appeared from the plan that the road would go straight through it, and would consequently take away a great portion of the land which otherwise would belong to the Park. An inaccuracy of this description ought, at all events, to be removed before the Bill was allowed to pass the second reading. There had already been a good deal of land taken away from the Park. First it had contained 250 acres, then it had dropped down to 116, and afterwards 20 more had been taken away. Taking this melancholy position of the Park into consideration, he thought the House should, as far as possible,

protect the public from the course which the Metropolitan Board of Works was now taking.

MR. COOPE said, the proposed road was described in the Bill as "near" and as "skirting Finsbury Park on the northern and western sides;" whereas, when he came to look at the plans, he found that it encroached very considerably on the Park, destroying two cricket grounds which to the great advantage of the neighbourhood at present existed. A very strong feeling prevailed in Finsbury against this encroachment. It was quite unnecessary to make a new road; for if the present one were properly fenced and lighted a great deal would be done to check the immorality unfortunately existing in the Park, and thus one of the chief objects in view would be met. For his own part, he should give the Bill every opposition in his power.

MR. RAIKES said, he hoped that, after the expression of opinion which had been elicited from both sides of the House, the objection to the second reading of the Bill would not be pressed. It was necessary that some forbearance should be shown by hon. Members who objected to particular parts of the Bill, in order that the passing of others to which no objection was made might not be jeopardized. Surely, the most convenient course would be to have the Bill considered by a Committee, which could have the various plans before it to which reference had been made, and without which the House could hardly arrive at a satisfactory solution of the different questions involved. He saw no reason to fear that the Metropolitan Board of Works would not act in a considerate spirit with regard to parts of the Bill that might be found to be objectionable. The House should, at the same time, bear in mind that while the Metropolitan Board had engaged to withdraw some of the provisions to which objection had been raised, there was nothing to bind the Committee from striking out any of the remaining clauses if they should think proper. As to the new road to which reference had been made, he thought there was a great deal to be said in its favour. It would be the means of withdrawing from the Park the general traffic which rendered it necessary to keep the present road open during the night, and if this result were obtained it would be possible

to take steps that would promote decency and propriety in the Park. Perhaps the correct description of the proposed road was not that it skirted the Park, or ran through it, but that it passed through the skirts of the Park. This matter, like others, could be satisfactorily investigated in Committee after the second reading. He trusted the hon. Member for Finsbury (Mr. Torrens) would not press his Amendment.

Question, "That the word 'now' stand part of the Question," put, and *agreed to*.

Main Question put, and *agreed to*.

Bill read a second time, and *committed*.

#### LOCAL RATING—RATING OF GOVERNMENT PROPERTY.—QUESTION.

MAJOR DICKSON asked the First Lord of the Treasury, If it is the intention of the Government to introduce a Bill this Session to make property used for Government purposes assessable to Local Rates?

MR. DISRAELI, in reply, said, the subject was under the consideration of Her Majesty's Government, and that after Easter they would be able to give a more definite reply on the subject.

#### BUILDING ACT OF 1844—LEGISLATION. QUESTION.

MR. LOCKE asked the Secretary of State for the Home Department, Whether, in view of the unrepealed sections of the Building Act of 1844 coming into operation in August next, the Government proposes to legislate on the subject according to the recommendations contained in the Report of the Select Committee made last year?

MR. ASSHETON CROSS: It is the intention of the Government to legislate upon the subject in the present Session, and, I may add—but speaking generally only—in the spirit of the Report of the Committee.

#### POST OFFICE—IRELAND—MONEY ORDER OFFICES.—QUESTION.

MR. G. BROWNE asked the Postmaster General, If it is intended to extend Telegraphic Communication to those Money Order Offices throughout Ireland not already provided with such

accommodation; and, if so, how soon it will be completed?

LORD JOHN MANNERS, in reply, said, that some of the Money Order Offices were not of sufficient importance to have telegraphic communication. Others were; but he could not say when the communication would be complete in their cases. Five-sixths of the Money Order Offices in Ireland had telegraphic communication now, which was above the proportion of England and Scotland.

#### METROPOLIS—THE GREEN PARK.

##### QUESTION.

LORD CLAUD JOHN HAMILTON asked the Chairman of the Metropolitan Board of Works, If his attention has been drawn during the past week to the noxious condition of the Main Sewer running under Piccadilly into the Green Park; and whether, in view of the approaching summer, it is the intention of his Board to take steps to remedy an annoyance so prejudicial to the public health?

COLONEL HOGG, in reply, said, the nuisance of which the noble Lord complained did not arise from any sewer under the jurisdiction of the Metropolitan Board of Works. It arose from a small parochial sewer. He had called the attention of the Vestry of St. George, Hanover Square, to the matter, with a view to the abatement of the nuisance.

#### INDIA—THE KIRWEE PRIZE MONEY.

##### QUESTION.

MR. FRESHFIELD asked the Under Secretary of State for India, Whether the final accounts of the Kirwee Booty, which have been so long under preparation, will be ready to be presented to the House before Whitsuntide?

LORD GEORGE HAMILTON, in reply, said, a letter had been addressed to the Indian Government asking them to expedite the consideration of the final accounts of the Kirwee booty. He could not say exactly when the accounts would be received; but they would be laid on the Table as early as possible.

#### CHARGES ON THE CONSOLIDATED FUND.—QUESTION.

SIR W. VERNON HARCOURT asked Mr. Chancellor of the Exchequer,

*Mr. G. Browne*

Whether he has any objection to lay upon the Table, together with Estimates of the Supply Services at the commencement of the financial year, a statement of the probable charges on the Consolidated Fund, so as to give a complete view of the probable expenditure of the current year?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he thought such a statement would be very useful, and he had given directions that one should be prepared. He should be prepared to lay it upon the Table of the House before the Budget.

#### MEDICAL OFFICERS OF HEALTH.

##### QUESTION.

DR. LUSH asked the Secretary to the Local Government Board, If he can state when a Return relating to Medical Officers of Health and Inspectors of Nuisances, moved for on the 1st of July last, and ordered to be printed, will be laid upon the Table?

MR. SCLATER-BOOTH, in reply, said, he was sorry that the hon. Gentleman had had to wait so long for the Return; but it would be in the hands of Members in a short time.

#### SCOTLAND—THE SASINE OFFICE, EDINBURGH.—QUESTION.

MR. MACKINTOSH asked the Lord Advocate, Whether, under the circumstances of the expenses of the Sasine Office in Edinburgh during the last year being only £15,870, while the fees drawn were £32,526 16s. 11d., he will take the claims of owners of lands and heritages in Scotland thus burdened into favourable consideration, and deal with them in the promised legislation connected with Scotland?

THE LORD ADVOCATE: When I introduced, in 1868, the Bill for concentrating in Edinburgh all the Registers of Sasines in Scotland, it was with the hope, among other things, that the cost of registration would be materially reduced, especially in regard to properties of small value. I have now the satisfaction to say that that hope has been realized, and that the consideration to the owners of lands and heritages in Scotland which my hon. Friend desires has already been shown, in so far as the reduction of fees of registration is concerned. By a new table of fees, com-

mencing as from the 1st of April, 1873, and now in operation—being No. 147 of the Papers of last Session—no less a sum than about £15,000 was taken off the fees of registration, still leaving the establishment self-supporting after paying salaries, and with a surplus of between £1,000 and £2,000 to meet contingencies. The reductions have been chiefly on the expense of registration of small properties valued under £5,000, as the fees for large properties were not considered excessive.

SCOTLAND — SHERIFF PRINCIPALS —  
GLASGOW AND LANARKSHIRE.  
QUESTION.

DR. CAMERON asked the Lord Advocate, Whether his attention has been directed to the serious loss and inconvenience recently suffered in Glasgow and Lanarkshire generally in consequence of the absence of any provision for the appointment of an interim Sheriff Principal in cases where the holder of that office is prevented by illness from discharging his duties; and, whether it is the intention of Her Majesty's Government this Session to introduce any measure which will admit of such interim appointments being made?

THE LORD ADVOCATE: My attention has been directed to the circumstances referred to in the Question of the hon. Member. I am not prepared to state that there exists no power in the Court of Session to appoint an interim sheriff principal in the case of any such sheriff being prevented from discharging his duties by temporary illness, especially in the event of the Minister of the Crown giving his sanction to leave of absence to the sheriff. The Court of Session have, indeed, frequently exercised the right of making a temporary appointment of a sheriff when there was a death vacancy, and the public advantage required the office not to remain long vacant. But, as opinions to a different effect have been expressed by authorities entitled to consideration, I think it will be expedient that all difficulty should be removed in the way of preventing the loss and inconvenience caused by the temporary inability by a sheriff to discharge his duties, by vesting the power of interim appointment in Her Majesty's Government or in the Court for a limited time; and I hope this may be effected by a clause

inserted in a Bill for regulating the Sheriff Courts in Scotland, or by a Bill solely having in view the remedy suggested by the hon. Member.

CRIMINAL LAW—REMISSION OF  
SENTENCE.—QUESTION.

SIR WILLIAM STIRLING MAXWELL asked the Secretary of State for the Home Department, If it be true that the lad who was convicted on the 14th instant at Worship Street of cruelly killing a neighbour's cat, and who was sentenced to fourteen days' imprisonment with hard labour, has had half of the sentence remitted; and, if so, whether he will state the grounds upon which the remission was granted?

MR. ASSHETON CROSS: Yes, Sir; it is true that the lad who was convicted of killing a cat and sentenced to 14 days' imprisonment had half his sentence remitted. The doubt is as to the word "cruelly." On careful inquiry by the police it appears that the cat was after the boy's pigeons. The boy went to drive it away and it jumped upon a wall, where the boy hit it once or twice with an iron rod and unfortunately killed it; but, apparently, he did not mean to do so, and did all he could to restore it, and beyond the blows there was no wanton act of cruelty. The Superintendent of Police further reported that the Secretary of the Society for the Prevention of Cruelty to Animals said he would be happy to further the object of the memorial praying for the remission of the sentence, and on that I acted.

H.M.S. "LONDON."—QUESTION.

MR. KINNAIRD asked the First Lord of the Admiralty, When the "London," for which the Vote was taken on Saturday last, would be put into commission to proceed to Zanzibar?

MR. ALGERNON EGERTON (for Mr. HUNT), in reply, said, the "London" would be ready on the 15th of April to be put into commission, though it had not yet been decided when she should be actually put into commission.

SPAIN—THE SLOOP "LARK."  
QUESTION.

MR. SERJEANT SIMON asked the Under Secretary of State for the Colonies, Whether he is able to give him any information respecting the claims



arising out of the seizure of the "Lark," and the imprisonment of the owner, crew, and passengers by the Spanish authorities in Cuba?

MR. J. LOWTHER, in reply, said, the questions arising out of the case were referred in June last by Her Majesty's Minister at Madrid to the Spanish Government. No further information had been since received, except that the claims had been referred by the Government of Spain to the Captain General of Cuba, with a view to obtaining his remarks upon them.

#### IRELAND—PEACE PRESERVATION ACT. QUESTION.

CAPTAIN NOLAN asked the Chief Secretary for Ireland, If he intends to direct any relaxation in the application of those clauses of the Peace Preservation Act which restrict Irish farmers in the possession of fowling-pieces?

SIR MICHAEL HICKS-BEACH, in reply, said, the hon. and gallant Member appeared to desire that fowling-pieces should be exceptionally treated, and that persons who might not be considered fit subjects for licences to carry arms generally might possess fowling-pieces and use them without licences. As far as he was at present advised, he thought such a course would not be a wise one to adopt, even if it were possible. It would not be easy to distinguish between what was called a fowling-piece and what was not. A fowling-piece might be used to carry bullets as well as shot, and he was afraid the history of the many outrages in Ireland would show that it was with these weapons that many of those outrages had been committed. Every reasonable facility ought to be given to Irish farmers to obtain licences for the carrying of arms of the description mentioned in the Question. Much had been done already in this direction, and he should be glad if anything further could be done for giving these facilities.

#### CRIMINAL LAW—THE FENIAN PRISONERS.—QUESTION.

MR. BUTT asked the Secretary of State for the Home Department, If he has any objection to lay upon the Table of the House a Return of the names of the twenty prisoners mentioned in his

*Mr. Serjeant Simon*

statement as still suffering punishment for offences connected with Fenianism, specifying as to each prisoner the date of the sentence, the offence for which he was tried, the court before which the trial took place, the nature of the sentence, and the place of his present confinement?

MR. ASSHETON CROSS, in reply, said, that from time to time various Returns had been made respecting the persons who were in custody for offences such as the hon. Member had alluded to. He had no objection to order similar Returns, though not in the terms suggested in the Question. Before the hon. Member moved for the Returns he should be happy to confer with him on the subject.

#### ASHANTEE WAR.

##### VOTE OF THANKS TO THE FORCES.

MR. DISRAELI: Mr. Speaker—The state of affairs on the Gold Coast at the commencement of last October was gloomy in the extreme. The Protectorate was entirely overrun by the enemy, who pressed in force even to the immediate neighbourhood of our own Settlements. There was great dissatisfaction among all the Native tribes, and the friendly Chiefs were in a state of utter despondency and inaction. The situation of affairs was not only unsatisfactory, it might have been described as disastrous had it not been for the efforts of a handful of blue-jackets and Marines, whose valiant energy saved in fact the whole of our subjects and those who depended upon us from being swept, I may say, from the Coast. Fortunately these men were commanded in each Service by a man equal to the occasion. Colonel Festing, who commanded the Marines, and Captain Fremantle, who commanded the Sailors, showed that they possessed the same mettle which animated those who afterwards marched to Coomassie. But, Sir, it must be obvious that, with only a few hundred men, in the face of a foe that might be counted, not by thousands, but by tens of thousands, the result of their efforts must necessarily be limited. Yet they succeeded in checking and controlling the enemy, and during the eight months which thus elapsed between the commencement of the year and the beginning of October, with these limited resources, they had

achieved and accomplished several considerable consequences. They had, in the first place, regained Elmina; in the second place, they had removed the pressure of invasion from Cape Coast Castle; and, thirdly, they had succeeded in establishing two fortified out-posts, which ultimately proved of singular value and service to Sir Garnet Wolseley when he prepared and consummated his triumphant march.

At the commencement of the month of October Sir Garnet Wolseley arrived. He was sent out by the Government with full powers, military and civil. He was not only commander of the Army, but also the chief Administrator of the Settlements. He went without troops, because it was then the plan of the Government that the war should be carried on by Native levies. But he went accompanied by a numerous, a well-selected, and a most efficient staff, every member of which subsequently greatly distinguished himself. Of course, Sir Garnet Wolseley's first object was to assemble the Native Chiefs, and to make his arrangements for raising those Native levies with which the war was to be conducted. The subsidies and terms which he offered appear to me to have been tempting. They were liberal; they were adapted to the customs and the wishes of the population to whom they were addressed; and at the first glance it might have been hoped that they would have been successful. That they were entirely a failure I will not now say; because in the subsequent proceedings—as hon. Members, who have doubtless followed these events with the deepest interest, must have seen—there were bodies of Native troops officered by Englishmen who really did good service to the State. Hon. Members are now familiar with the name of Rait's Artillery, Russell's Regiment, and Wood's Regiment—regiments officered by Englishmen and commanded by Englishmen, but consisting entirely, as to rank and file, of Native troops. Yet Sir Garnet Wolseley, a man possessing great knowledge of human nature as well as of military science, soon perceived that there were not in the population of the Gold Coast materials that would enable him to accomplish the purpose of the Government. This conviction must have been rapidly arrived at by that distinguished man, because he found himself,

for the first time, on the Gold Coast, on the 2nd of October, and it was in the middle of that month—as early, I think, as the 14th—that he wrote to the Government, and informed them that the business could not be done without British troops. That appeal of Sir Garnet Wolseley was answered by Her Majesty's Government with laudable promptitude. Not a moment was lost in giving orders that some of the flower of the English Army should be despatched to that part of the world. A battalion of the Rifle Brigade, a battalion of the Welsh Fusiliers, and one of the most distinguished of the Highland regiments were among the troops sent out. But it required a space of two months before these troops—although not an hour had been lost in ordering them to repair to the Gold Coast—could make their appearance where they were needed.

What had occurred during that space of time, from the middle of October to the beginning of December? In the first place, Sir Garnet Wolseley, at the head of a force of Marines, and a Naval Brigade, commanded by Captain Fremantle, successfully attacked and destroyed settlements and villages on the coast from which the chief army of the Ashantees—who were encamped probably about 14 miles in the interior—received their principal supplies. This was a successful expedition, and had, ultimately, considerable consequences. In the second place, great progress was made in the military road which was constructing from Cape Coast Castle to the kingdom of Ashantee; and, in touching upon that point, I would ask the House for a moment to form some conception of the labour of constructing such a road. These settlements on the Gold Coast are towns built upon a surf-beaten shore, guarded generally by a citadel or castle. Touching the immediate precincts of these towns, what is called “the Bush” commences. The bush was originally an African forest. An African forest consists of trees of a colossal size. These trees, for purposes of domestic or other use, had been cut down; but the undergrowth remains, and on the average it is from 10 feet to 16 feet high, and quite impenetrable. There were paths through this bush which led into the interior, but there were no roads. This bush extends over a portion of territory which stretches in-

wards on the average to about 30 miles, when it ceases, and the primeval forest re-commences. Then you find yourself in a dense forest, consisting of those wonderful productions of tropical vegetation and those enormous trees to which I have adverted; and in the middle of this forest there flows a river—the River Prah—which is the limit and boundary, not only by custom, but by Treaty—which we entered into in 1831—between the Protectorate and the Kingdom of Ashantee.

Sir Garnet Wolseley had stopped the chief supplies of the Ashantee Army, and he had already made great progress with the construction of the military road, which was of course, an achievement indispensable to his ultimate success. About this time the chief of the Ashantee Army, which was in great force and was once supposed to be as numerous as 30,000 warriors, probably inconvenienced by losing some of his resources—perhaps his main resources—and probably also encouraged by the inaction of his opponents, suddenly determined to attack one of our chief outposts. It was garrisoned by Native forces known as Russell's regiment, and by about 50 sailors, who were strongly intrenched there. For a whole day this little garrison bore themselves up manfully against the attacks of the enemy, and on the second day Sir Garnet Wolseley, having received information of the state of affairs, arrived at the head of such force as he could get together—chiefly Marines and Sailors—and a considerable engagement took place, lasting two days, and ending in the complete defeat of the Ashantee Army.

From that moment the retreat of the enemy commenced. It was not for some time believed; it was, for a considerable period, thought to be only a feint; but authentic information at last convinced those who were at head-quarters that the army of the King of Ashantee was in full and regular retreat from the Protectorate. Then it was that some attempt was made to harass their rear; and to take advantage of so inviting a circumstance in war as a retreat, by means of such Native levies as we possessed. But this was not a very encouraging or successful move. Commanded as they were by English officers, the most unfortunate consequence was that the officers were generally the victims. Many were wounded, and it was in these continual

skirmishes, occasioned by the retreat of the Ashantees, that, after an exhibition of valour which must excite the admiration of all, there fell, I am sorry to say, the gallant son of a respected Member of this House (Lieutenant Eardley Wilmot.) The Ashantee Army must have arrived on the banks of the Prah about the end of November—I think it was on the 27th—and two or three days were occupied by them in passing the river. So that, before the troops could arrive from England which Sir Garnet Wolseley had called upon Her Majesty's Government to send him, the invasion of the Protectorate had ended and really ceased, and the army of the King of Ashantee was in the Kingdom of Ashantee.

When these troops had arrived, it was impossible for Sir Garnet Wolseley to avail himself immediately of the forces which he then possessed. The road was not yet finished, and immense difficulty was experienced in obtaining carriers for ammunition and the commissariat—carriers necessary in a country where there are no beasts of burden. Complaints have been made of the neglect shown in not finishing the road before the British troops arrived. But if the matter is examined there will be found no ground for this charge, which I have often seen in the newspapers, quoted against the Government and against others. The fact is, that as long as the Protectorate was occupied by the army of the King of Ashantee, it was impossible to work upon the road except under great difficulty, or to afford sufficient protection to the Engineers, with the limited force we then had. The instant, however, that the Ashantee Army had crossed the Prah, and retired from the Protectorate, the whole country became clear for the operations of our Engineers, and the work was prosecuted with the utmost energy. But the road was not completed at the time the troops arrived, and, what with the want of the road and what with the want of carriers, those who were responsible for the conduct of affairs were placed in a most difficult position, because to land the troops in that country entailed great risks—which indeed were under any circumstances inevitable—and troops had to embark and re-embark, and again find themselves upon the water, even after they had reached the Coast.

Nevertheless, affairs went on. Sir Garnet Wolseley and his head-quarters were at the limit of the Protectorate—at Prahsu, on the banks of the Prah—arriving there on the 15th; and from these head-quarters he addressed to the then Secretary of State his plan of campaign, which was as follows:—He proposed to invade the Kingdom of Ashantee by four columns. The chief force he himself commanded. Upon his extreme right Captain Glover—who had been appointed Commissioner by the Colonial Office to aid in this war—was to lead a column of Native troops, and find himself on the Prah, if possible, by January 15. Between Captain Glover, who was about 40 miles from Sir Garnet Wolseley, who was upon the main road, and the Commander-in-Chief, Captain Butler, was to lead another column of Native troops; and on the left of Sir Garnet Wolseley, Captain Dalrymple was also to lead a column of Native troops. It so happened that the Native levies upon which Captain Butler and Captain Dalrymple depended were, in a warlike point of view, of little value to us. The men assembled, but on the first sign of combat they vanished; and nothing but the great ability and energy of the two English officers prevented, perhaps, disasters. But we should err greatly if we believed that no good effects resulted from this plan of the campaign, and from these too quickly vanishing columns of Captain Butler and Captain Dalrymple. They acted admirably in their respective positions as diversions, diminishing the pressure which would otherwise have been brought to bear upon Sir Garnet Wolseley and the main body. And that is shown by the fact that of the six great tributary Chiefs of whom the Ashantee Kingdom was composed, two, whose districts were invaded by these columns, of which they had received notice, retired each with his force to his own country in consequence. Captain Glover, who was 40 miles distant from Sir Garnet Wolseley, was more fortunate than either Captain Butler or Captain Dalrymple. He kept his men together, on the whole, pretty well. At one time he anticipated that he would be at the head of thousands, for he seems to have a marvellous power of influencing these tribes. Many of them deserted and disappeared; but still he was not wanting at the critical moment, to which,

before I sit down, I may perhaps for an instant allude.

On the 15th of January Sir Garnet Wolseley had communicated his plan of campaign to Her Majesty's Government. On the 20th he passed the Prah. For the first ten days matters remained in an ambiguous and, on the whole, somewhat unsatisfactory state. On passing this river, the House must understand that our forces were still in a forest. Those battles to which I shall now have occasion to allude were battles in a forest—they were battles with a powerful and almost invisible foe. The King of Ashantee appears to have thought, on the withdrawal of his troops and giving up the invasion of the Protectorate, that the war had ceased. It never occurred to him that there would be another invasion, and that, the invasion of his own territories. When, therefore, he heard we had crossed the Prah, it became necessary for him to re-assemble his troops, and, considering they had been out for two campaigns and were naturally weary and exhausted, that was no easy task. It was most essential, therefore, for the King to gain time, and while we advanced, messengers were perpetually coming, commencing negotiations and offering terms. But throughout these proceedings the Commander of the British Forces was served with excellent intelligence. It is difficult to conceive how in such a country the Commander-in-Chief could have been so well served. He soon convinced himself of the falsity of the King's overtures, and became satisfied from the mode in which these men carry on war that a trying moment was at hand. At last that trying moment arrived, and he found himself, I can scarcely say in the face of the Ashantee Army in their first line, because he was still in a forest and the enemy were invisible, but the whole of the British forces seemed to be surrounded by foes and were assailed and fired upon all around. It required the instinct of military genius to be able to conceive where the enemy were placed, and how to dispose his forces under such circumstances. The battle which ensued lasted 12 hours. It was conducted with the utmost fury and determination on the part of the enemy; but at last their fire slackened, our troops advanced, and they bivouacked upon the very spot—I think on the night of the 31st of January



or the 1st of February—where the enemy had been strongly intrenched and so advantageously posted. This battle has been, as the House is aware, called the battle of Amoaful. On the night following the battle, the position of Sir Garnet Wolseley must have been one of extreme anxiety. He felt he was dealing with a foe who were desperate, and who would make any sacrifices to arrest his course. The lives of 100 Ashantees would willingly have been given for the life of one white man, and he might apprehend, if this obstinate resistance were persisted in, not that he might not ultimately reach Coomassie, but that he might reach it at a most dangerous period of the year, with his forces so much diminished that he would be in extreme peril. Besides his losses in battle he had to establish as he advanced a considerable number of armed posts, each of which reduced the forces immediately available. It was then for him to determine what line he would pursue. To retreat would have been disastrous. Our Native levies would certainly have then disappeared; the carriers would have run away. An English soldier is invincible, except, perhaps, under one condition, and that is retreat; and if an enemy had been pressing him in all directions, and feeling their own lives to be as nothing compared with the object of destroying their foe, such a state of things might have led to the utmost disaster. Sir Garnet Wolseley decided, therefore, on the boldest course, to continue his march to Coomassie, as the least of two dangers. The enemy fought for two days after this, contesting every mile of ground. For two days Sir Garnet Wolseley advanced, having rested on the field of the great engagement for 24 hours, and on the 3rd day he arrived at the River Orda, where the Ashantee Army was in force, commanded by the King himself, and another pitched battle was fought. It did not last as long as the battle of Amoaful; but it was maintained for more than six hours, and the enemy fought with great obstinacy. At length the King fled. From that moment the Ashantees gave up all hope, and Sir Garnet Wolseley, at the head of his forces, entered the capital of the Ashantee Kingdom.

The House is well aware of the important event which then occurred. I

believe it was a wise and necessary step. Time had been so calculated that there were not 24 hours to be wasted. The campaign, indeed, had no longer to be calculated by days, but really by hours. That great change in the climate and in the appearance of nature common to those tropical countries at particular seasons had already commenced. The Prah is a river which in ordinary times is, perhaps, only three or four feet deep and fordable by troops. After the first tornado it is often 10 feet deep. Sir Garnet Wolseley, therefore, took those steps which he believed would best insure the result that he desired under the circumstances, which was to make a great impression upon the population of the country, to aim as decisive a blow as possible at the prestige of the Ashantee monarch; and, having done this, he made up his mind to retire. He retired unmolested. The nature of the climate rendered it necessary that he should send on the English troops without a moment's loss of time, and he himself followed more leisurely with the Native levies alone. Pleased he must have been with the admirable conduct of those whom he led; pleased we all must be; but, perhaps, some were disappointed that he had not succeeded in obtaining that Treaty for which he had been so frequently in negotiation with the ruler of Ashantee.

It was at this time, having proceeded in his march from Coomassie some 20 or 30 miles, that he was surprised by receiving messengers from the King accepting all his terms, and offering to enter into a Treaty, which, so far as Treaties can, would secure all Sir Garnet Wolseley's objects. How was this brought about? By the successful movement of Captain Glover, who at the head of his Native levies, 40 miles distant originally from Sir Garnet Wolseley, now threatened the panic-stricken monarch of Ashantee in his rear. When the King found himself thus menaced by another force, he offered to yield to all the conditions. The House is well aware that we have no authentic accounts that this formal Treaty has been concluded, nor do we know exactly the state of affairs at Cape Coast; but I must express my belief that though we have not yet heard that this Treaty has been entered into, it is by no means hopeless. I cannot help thinking that such

operations as have been carried on could not have been accomplished without bringing about considerable consequences and working beneficial changes in the relations between this country and African Sovereigns.

I have endeavoured to place before the House, in however slight a manner, yet I hope not inaccurately, and without wearying hon. Members with too many details, a general view of the remarkable operations which have been performed in Africa during the course of this campaign. I am mistaken if these are not feats of arms which will not be easily forgotten in this country. I know it has always been a vulgar error to associate military glory only with armies of great magnitude. But that is not a just view to take. Some of the greatest military feats have been performed by very small armies. In modern history, nothing, perhaps, is more illustrative of this truth than the conquest of Mexico by Cortes. So great a result effected by such slight means is not easily matched in the history of man. Even in our own times—in that great continental war which occupied a great part and the early portion of this century—when hosts counted, not only by hundreds of thousands, but by millions, were arrayed against each other—it was a small army, admirably disciplined, which, to use the word of their illustrious commander, would go anywhere—it was a small army like that, under our matchless Wellington, which really decided the fate of Europe. I am not wishing to exaggerate the gallant deeds, of which we are naturally proud, of Sir Garnet Wolseley and his brave companions. I do not mean to say that the engagements in which they took part are to be counted among the decisive battles of the world; but I think we may say of them truly that they are those deeds which thrill the hearts of households, and which, by the examples they offer of energy and endurance, sustain and strengthen the tone of a nation. Sir, I beg to move the Resolutions which are on the Notice Paper.

MR. GLADSTONE said: With your permission, Sir, I am very desirous to second the Motion of the right hon. Gentleman. It is quite unnecessary for me, after the ample description which the right hon. Gentleman has given of the operations on the Gold Coast, to

detain the House for more than a very few moments. Everyone whom I address is sensible that we are deeply indebted to the small British force, in all its arms, which has defended the honour as well as the interests of this country in the late war. Her Majesty's Government having thought fit, upon their responsibility, to propose this Vote of Thanks to the House, I am very anxious to avail myself of the opportunity of testifying the cordiality with which, for my own part and on that of my late Colleagues, we acknowledge the magnitude of that debt, and to show the readiness with which we are prepared, and shall be prepared, to concur in every becoming form of owning and of acquitting ourselves of the obligation. An expression fell from the right hon. Gentleman in the course of his narrative with respect to which I should wish to offer a remark, applicable to the form rather than the substance of what the right hon. Gentleman said. I think he stated that, at a time when Sir Garnet Wolseley left this country, the plan of Her Majesty's Government was to prosecute hostilities by means of Native levies. In that statement the right hon. Gentleman has, perhaps, gone a little beyond, and at the same time has fallen a little short of, an actual description of the views of the Government at the time. It would be strictly accurate to say that at that moment we scarcely had what could be called a plan. The truth is that from day to day, at least with each successive arrival of intelligence, a varying state of circumstances and expectations was reported. I am bound to admit that, until Sir Garnet Wolseley was despatched, and until he had reached the Gold Coast, the amount of information which we possessed, and which, of course, must have been the basis of any determination we arrived at, was scanty; so much so, that I might even call it deplorably scanty. There were, as the House is aware, a certain limited number of British forces on the Gold Coast, and it was not until the summer was far advanced we abandoned the hope that by this force alone, acting in concurrence with that portion of the Natives who were opposed to the Ashantees, a settlement of the matter might be brought about. It was, however, thought wise in the first place to authorize the expedition of Captain Glover; and that expedition

was one which, as the right hon. Gentleman has accurately stated, was to be conducted by Native forces. But, when we considered the state of things as it stood in the month of last August, it was manifest that more was required; and at that time it would have been, I think, impossible—certainly unwise and rash—to endeavour to determine either how much more, or what precise measures, were the right measures to adopt. That which appeared clear, and that upon which we decided, was that we must send to the Gold Coast the very best man we could find. The choice was made in the first instance by my noble Friend the then Secretary of State for War (Mr. Cardwell), and the then Secretary of State for the Colonies (the Earl of Kimberley), and a measure was adopted which the circumstances required, and which was the most effectual for the attainment of our end. We placed in Sir Garnet Wolseley that full and absolute confidence which has been fully and absolutely justified by the result. At the very moment when he left the shores of this country, although we were not in a condition to determine it would be right or safe to prosecute the war by means of European troops, a measure was taken which subsequently enabled us to act upon his report, and, as the right hon. Gentleman has stated, without the delay of a moment. Those battalions which have since earned such honour and distinction on the Gold Coast were at that time, and not subsequently, told off to prepare for the expedition, and the transports in which they were ultimately to sail, and in which they ultimately did sail, were likewise prepared; so that, depending as we did upon the judgment of this able officer, we might be in a condition to adopt his recommendations, to second him in his endeavours, and so with the utmost thrift and the utmost despatch, to limit the time for the conduct of those operations. I do not wish to enter further upon that subject, because it was no part of the object of the right hon. Gentleman to describe the attitude of the late Government, and the accuracy or otherwise of their views at this or that particular moment; but he will excuse me being anxious that we should not be misunderstood as regards the measures which we adopted. I am very glad that the right hon. Gentleman, in the course

of his speech, has called attention to the share which has been taken by Her Majesty's Naval Forces, and especially that he has not confined himself to noticing that portion of the Naval Force which co-operated in the final and successful movement; but that he has likewise reminded us of the gallant efforts of those who, in the worst season of the year, upon that pestilential coast, amid circumstances of the utmost discouragement, and when burdened rather than aided by a set of allies of whose character or military conduct I am afraid we can scarcely say too little, nevertheless, by their own unassisted resolution, defended and maintained their position against the most fearful odds. With regard to the proceedings after the arrival of Sir Garnet Wolseley, it is in my own opinion needful to say very little. I will venture to observe that those form a very inadequate estimate of the nature of this undertaking and the difficulties that had to be encountered who regard it merely as an enterprise conducted among savage people, and who do not take into view the remarkable combination of courage, craft, and ferocity which that savage people has exhibited, the advantages which they derived from the peculiar nature of the country, and the still greater advantages they possessed from the inexorable limitations as to the time under which Sir Garnet Wolseley alone was compelled to conduct his operations. Without at all presuming to compare these military operations with other gigantic events which have occurred in our own time and in other countries, this I will venture to say, in the first place—I concur in the remark of the right hon. Gentleman opposite that nothing was more striking than the promptitude with which, from the moment of Sir Garnet Wolseley's arrival, he appeared to have mastered the secret of gathering the most searching and trustworthy information, where all before had been darkness and uncertainty. Further, I will venture to say there are very few examples in military history of cases in which the plan of a difficult operation has been so completely conceived beforehand and, after being so completely conceived, has been executed so exactly in the manner in which it was conceived. A happy instinct, as well as a wide experience, a cultivated and intelligent as well as a gallant and manly

*Mr. Gladstone*



mind, enabled the Commander of that expedition at once to take the measure of his own position; and, when he had taken it, to proceed to the execution of his plan with the most unfaltering determination, never at any moment hesitating, never at any moment finding reason to question the wisdom of the steps he had already adopted, or to doubt the result of perseverance for the full accomplishment of his measures. I am sure there has been no occasion when the House of Commons has more unanimously felt the great obligation under which it lies than to the gallant men who have been engaged in this expedition, and never has it been my fortune to make a proposal in this House with greater satisfaction than that which I now do—namely, to second the Motion of the right hon. Gentleman opposite.

COLONEL LOYD LINDSAY said, that the speech which had been delivered by the Prime Minister had conveyed in the most appropriate manner the thanks of that Assembly to Sir Garnet Wolseley and the soldiers who had shared with him in the perils, the difficulties, and the successes of the operations on the West Coast of Africa. If that which they were now doing were a mere complimentary business, private Members might be content to leave to the Leader of the House the task of expressing in well-chosen words the satisfaction which England had experienced in watching the conduct of her little Army during the recent campaign. But that was not a mere formal business, and private Members might be excused for a little effusion of feeling on an event which could not occur very often. Among all professions, it might be said that those who belonged to the military and naval forces of this country were the most sensitive to the praise and blame of those in whose good opinion they desired to stand well. The frequent thought in a soldier's mind when he was engaged, thousands of miles away from home, was—"What will they say in England of the way in which we are doing this duty?" How could the House of Commons do better than encourage that noble feeling, which gave a sure guarantee that wherever English troops were engaged, and under whatever circumstances they might be placed, they would act up to the highest standard to which their strength and their endurance

might enable them to attain? The war in which we had been engaged was no test of the power and military strength of the English nation, neither did it afford any sign of the patience or the endurance which English people would display in sustaining the burdens of a prolonged and arduous campaign. Our Continental friends must remember, when they expressed some surprise at the great laudations which had been common in the writing of the Press and in the speeches of our public men, that those did not indicate that we were unduly proud of having successfully matched the strength of England against that of a savage nation on the coast of Africa, but rather that we were proud—and had reason to be proud—of the handful of soldiers and sailors who had executed the difficult task assigned to them, and of the neatness and completeness with which they had performed the work. The original plan of that campaign appeared to have been that it should be accomplished by sending out English officers to train and discipline the cowardly and savage tribes who hitherto had been running like sheep before their victorious and domineering neighbours. With that object in view volunteers were called for, and those who loved the Service and delighted in anything which showed its spirit and its courage, saw with pleasure the number of officers who came forward on that occasion, so that for any vacancy which offered there were 20 competitors ready to avail themselves of the opportunity. Among them there was one personally known to some in that House, probably known to all by name, for that name was a distinguished one—an officer possessing all the advantages of high position, ample wealth, and good looks, and with qualities which rendered him certain to be able to derive the full enjoyment of those blessings to the utmost of life (Lieutenant Alfred Charteris). But he preferred the rough lines of a soldier's career to remaining at home the favourite of the society of that great town. He volunteered for most arduous duty—to go on the Staff of a General about to organize an expedition such as that destined for the Gold Coast. He who approached ubiquity came nearest to what a Staff officer should be on service. The Regulations allowed him three horses for his use; but on that occasion

horses could not be had, and that officer had to perform all his duties on foot, which must have added greatly to his labour. Feverish nights brought no repose after weary days, and so he perished in the service of his country. Some consolation to his parents and his many friends was to be found in the fact that he did not die in vain. High and low had stood in the trials of that campaign, and perhaps they might be drawn closer together in consequence. The plan of operations was to discipline the savage tribes, and with them to perform the campaign. Amid many onerous and anxious labours devolving on the Leader of that House, such a task as he had performed that night must have been one of the most pleasing. The right hon. Gentleman had had the privilege of congratulating Sir Garnet Wolseley, and of thanking him and his brave comrades for having done so well and so gallantly their duty to their Queen and country. In conclusion, as a private Member, he had desired humbly to add his voice in confirmation of the vote proposed by the Prime Minister.

DR. LUSH said, he did not rise to prolong the debate; but he must express his regret that the body of officers whose duty it had been to take care of the health of the troops engaged in that Expedition, and whose services were unusually important on that occasion, had been in no way mentioned either in that Vote of Thanks or in the speech of the Prime Minister. It appeared to him that the medical officers in that Expedition had a special claim to consideration; and although it might have been contrary to etiquette to mention them specially, yet he ventured to think that was not an adequate reason for omitting to notice them. It was well known that on the medical policy adopted in an enterprise on that coast, the power of the troops to withstand the dangers of the climate, and thus to go successfully through their work, vitally depended.

MR. GATHORNE HARDY might, perhaps, be allowed to say that it would have been out of place to mention the medical officers in the Vote of Thanks, inasmuch as other officers of the same rank were not named in it. But the hon. Member who had just sat down would observe that the thanks of the House were given to all "the other Officers of the Navy, Army, and Royal

Marines who have taken part in the Operations on the Gold Coast"—terms which would embrace both the combatant and the medical officers. The rule was not to mention an officer by name unless he had held a command in the field, and it would be remarked that all who were named had been in command. He certainly did not wish to depreciate the services of the medical officers, which were most important; but some of the most distinguished officers who had taken part in the Expedition were left out by the rule on which it was usual to act in those cases. No one had read with greater pride and pleasure than he had done some of the reports of the medical officers, which reflected the greatest possible honour on them and on the Service to which they belonged.

SIR EARDLEY WILMOT said, he had to acknowledge his gratitude to the right hon. Gentleman at the head of the Government for the handsome terms in which he had spoken of the services of his gallant son (Lieutenant Eardley Wilmot). He expressed his most cordial concurrence in everything which had fallen from that right hon. Gentleman, and also from the right hon. Gentleman opposite (Mr. Gladstone), respecting the noble and heroic conduct of every officer and soldier who had taken part in the Ashantee Expedition. There was one officer, with whom he had had some personal communication, whose name he should have liked to have seen associated with the distinguished names which had been mentioned in the Resolutions before the House; but, from what had just been said by the Secretary of State for War, he felt that its omission was unavoidable. He meant Captain Rait, of the Artillery—a most zealous and deserving officer. It was well known to those who had followed the operations of the campaign on the Gold Coast, that the services of Captain Rait had contributed in no small degree to their success. Even during that hard fight which had been so well described by the First Lord of the Treasury—the action of Amoaful—they knew, from the accounts given by the newspapers and also by those who were present at the battle, that Captain Rait's rockets were extremely useful in enabling the gallant 42nd Regiment to drive the enemy through the bush and gain the victory which they won. With respect to the

war itself, while he knew that every soldier who went to war must go with the full expectation of risking or losing his life, he confessed that he felt the loss he had sustained to be rather bitter when he regarded the necessity which had induced the late Government to send out a handful of officers to the Gold Coast totally unsupported by troops. As early as January, 1873, they knew that the Ashantee Army had invaded the Protectorate, and from the tenor of the despatches sent home by Governor Hennessey and by Colonel Harley in the middle of that year, the unreliable character of the Fantees ought to have been known to the then Government. There were gentlemen who well knew every portion of that country, who could have told Her Majesty's Ministers that it was worse than useless to send out gallant officers to head the Fantees. If the House would kindly permit him, he would briefly mention the circumstances under which his gallant, and might he be permitted to say, his noble son met his death. He was detached on the 3rd of November, with a party of those men, to make a reconnaissance of the enemy's camp near Dunquah, and having arrived at the appointed place at 7 o'clock in the morning, soon after received his first wound, his shoulder having been completely shattered. There was not a single white man present to assist him in working his gun, which he actually worked himself from 7 to half-past 9 o'clock, when he fell mortally wounded. Only five minutes before his death he wrote upon a slip of paper to his colonel—Colonel Festing—asking him to send him a few men of the West India Regiment, for that the men he had with him had gone; and he could not help expressing his gratitude and admiration at the heroic conduct of that gallant officer, who rushed to the spot amid a shower of slugs, caught his son in his arms—himself receiving a severe wound—and saved his body from mutilation and from being borne away by the Ashantees; and he trusted that when the distinguished honours which were so much prized by our gallant soldiers and sailors came to be distributed, and especially that reward for bravery which bore Her Majesty's name, his right hon. Friend at the head of the Government would not forget the heroic and noble conduct of Colonel Festing,

to whom he should ever feel grateful for securing for his son a peaceful grave at Cape Coast Castle, instead of leaving his body in the hands of our barbarous enemies. He begged, in conclusion, to express his thanks to the right hon. Gentleman for his reference to his loss, as well as to the House for the manner in which they had received the mention of his son's name.

MR. GOSCHEN said, he was sure every hon. Member of the House would wish, on that occasion, when all were desirous to do honour to the soldiers who had been engaged in this arduous undertaking, that there should be no kind of controversy introduced, nor anything said that would tend to mar the unanimity that prevailed with regard to the object the House had in view. He only rose, with reference to what had fallen from the hon. and gallant Gentleman who had just addressed the House, to say that his right hon. Friend (Mr. Gladstone) had omitted to state that the white troops could not be sent earlier to the Gold Coast than they were, on account of the sanitary condition of the country. [Sir EARDLEY WILMOT: The officers were sent.] The officers were sent with Sir Garnet Wolseley, at his request, to take preliminary measures, to get information, and organize matters; and it would be apparent to the House that it was possible to take sanitary precautions with reference to a handful of officers which it would be impossible to take with regard to entire regiments. He wished it to be understood that when Sir Garnet Wolseley was despatched, the white troops were not sent with him—not because it was intended to carry on the war with Native allies only—but because from the nature of the climate it was unsafe to send white troops until December. As soon as the season admitted of it the European troops arrived at the Gold Coast.

COLONEL NORTH rose to suggest that the £5,000 which was brought back with the greatest difficulty by his gallant friend, Sir Garnet Wolseley, from Coomassie should be considered as part of the prize, and should be distributed among the troops. The House was aware that anything in the shape of pillage was put down with the utmost severity in our Army, and the things which had been taken during the war and sold at Cape Coast had, he believed, realized

but a very trifling sum. He hoped the Government would, under the circumstances, see the expediency of acting upon the suggestion which he had thrown out, following the precedent which had been set in the Abyssinian Campaign, in connection with which he had been so fortunate as to obtain the distribution of a sum of £2,000 among our soldiers and sailors. It should be borne in mind that in regard to the Ashantee Expedition, it was no more nor less than a forlorn hope on a large scale. He could not but express his regret that the usages of the House prevented the appearance of the name of any medical officer in the Vote of Thanks, because he believed that from the beginning to the end of the war nothing could equal the attention and personal gallantry displayed by every medical officer present. Dr. Home, the chief of the Medical Department, had for former services received the Victoria Cross, and was a Knight of the Bath, and he extremely regretted that the custom of the House prevented that distinguished officer's name being mentioned on this occasion.

#### Resolutions put, and agreed to.

*Resolved, Nemine Contradicente, That the Thanks of this House be given to Major General Sir Garnet J. Wolseley, Companion of the Most Honourable Order of the Bath, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, for the exemplary skill with which he planned, and the distinguished courage, energy, and perseverance with which he conducted, the recent Expedition into Ashantee, resulting in the expulsion of the enemy's Army from the British Protectorate, the defeat, by Her Majesty's Forces, of the Army of the King of Ashantee, and the capture and destruction of Coomassie.*

*Resolved, Nemine Contradicente, That the Thanks of this House be given to—*

Commodore John E. Commerell, Royal Navy, Commander of the Most Honourable Order of the Bath, Victoria Cross;  
Commodore William N. W. Hewett, Royal Navy, Victoria Cross;  
Captain the Honourable Edmund R. Fremantle, Royal Navy, who was in temporary Command of the Squadron; and  
Colonel Francis W. Festing, Royal Marine Artillery, who was in temporary Command of the Troops on the Gold Coast;  
for the distinguished gallantry, indefatigable zeal, and great ability which they displayed in conducting the operations on the Gold Coast, and to all the above Officers for the cordial co-operation which they afforded to Her Majesty's Land Forces.

*Colonel North*

*Resolved, Nemine Contradicente, That the Thanks of this House be given to Brigadier General Sir Archibald Alison, Baronet, Commander of the Most Honourable Order of the Bath, and to all the other Officers of the Navy, Army, and Royal Marines who have taken part in the Operations on the Gold Coast and the Expedition to Ashantee, for the energy, gallantry, and ability with which they have executed the various services which they have been called on to perform in a most unhealthy climate.*

*Resolved, Nemine Contradicente, That this House doth highly acknowledge and approve the discipline, gallantry, and endurance displayed by the Petty Officers, Non-Commissioned Officers, and Men of the Navy, Army, and Marines, whether employed in the front, on the line of communications, in reserve on land, or off the Coast; and that the same be signified to them by their respective Commanding Officers.*

*Resolved, Nemine Contradicente, That the Thanks of this House be given to Commander John Hawley Glover, Royal Navy, for the energy, courage, and ability with which, as Her Majesty's Special Commissioner to the Eastern Tribes of the Gold Coast, and with the aid of other gallant Officers of the Army and Navy, he led a considerable Native force from the River Volta to Coomassie, thereby largely conducing to the success of the main operations under the Major General commanding.*

*Resolved, Nemine Contradicente, That this House acknowledges with admiration the distinguished valour and conduct of those who have perished during the operations against the Ashantees, in the service of their Country, and desires to express its deep sympathy with their relatives and friends.*

*Ordered, That Mr. Speaker do communicate the said Resolutions to Major General Sir Garnet J. Wolseley, and that he be requested by Mr. Speaker to signify the same to Commodore John E. Commerell, Commodore William N. W. Hewitt, Captain the Honourable Edmund R. Fremantle, Colonel Francis W. Festing, Brigadier General Sir Archibald Alison, and Commander John Hawley Glover, and to the several Officers of the Navy, Army, and Royal Marines who served in the said Expedition.—(Mr. Disraeli.)*

#### SUPPLY—ARMY ESTIMATES.

##### SUPPLY—considered in Committee.

(In the Committee.)

MR. GATHORNE HARDY, in moving that the number of Land Forces for the Service of the United Kingdom be 128,994, said: After the interesting discussion to which we have just listened on the subject of the recent war in Ashantee, I am afraid that the somewhat detailed statement which I shall have to offer to the House will be rather distasteful; but, at the same time, those who are interested in the success of our Army such as has been achieved in that



country, must be anxious that our Army at home should be maintained in such a condition that whenever expeditions like that to the Gold Coast have to be sent out, our men will be found in a condition to fulfil their duties. With regard to the present condition of our Army I shall have to call the attention of the House to various circumstances affecting it which have occurred during the last few years. During the time the noble Lord my predecessor (Viscount Cardwell) occupied the office I have now the honour to fill—that is to say, during the last four or five years—various great changes were made in the constitution of our Army. Thus in 1870 short service was brought into practice and bounties were abolished, and in 1871 purchase was abolished. I may here state, although it is not a matter connected with the Estimates, that the sum which is required for satisfying the claims of officers on retiring for this year will be £657,000. That sum may appear larger than was expected; but the state of the case is this—formerly a deduction was made on account of the amount repaid by India, but now the Indian repayment will go into the Exchequer; so that the amount will appear in the document which will be next year laid upon the Table. In 1872 the localization of the Army was set on foot, and brigade depôts were formed, with the view of combining the two Armies of Reserve with the Regular Forces. With regard to the abolition of purchase that matter appears as far as fact is concerned to be finally settled; and we must take the question as one that cannot be re-opened; but, nevertheless, there are many subsidiary questions connected with the abolition of purchase which still remain to be determined, and I only wish that those who abolished the system of purchase had been able, while they were in office, to provide for all the different and difficult circumstances which have arisen in consequence, and which I am afraid it will be my painful duty to make arrangements to meet. I do not intend to enter on the present occasion into the matters connected with this question, which are now under the consideration of the Royal Commission, because until the Report of that Commission is before the House, it would be presumptuous and indecorous for me

to express an opinion with regard to them. I shall have an opportunity of forming a judgment upon the decision to which the Commission may come on the different points, when they present their Report, and should it then become necessary, in accordance with the judgment I may form, to bring any points connected with the question again before the House, I shall not shrink from doing so, nor from asking its decision upon them. I am satisfied that in dealing with the Estimates I am now about to submit for its approval, the Committee will do me the justice of remembering how short a time they have been before me—it being scarcely a month since I assumed the office I now fill, and there being many other matters besides the preparation of the Estimates which have largely occupied my attention. I am quite sure the Committee will not expect me to give an opinion on the subject so soon after my assumption of office, and I feel that until upon full consideration I determine upon a different policy it is my duty to carry out the proposals of my predecessor (Viscount Cardwell), but which he has been unable to carry into effect, and therefore in substance, and with the exception of a few matters of detail, the Estimates I am about to lay before it are those of that noble Lord, which I believe he had prepared, although he had not actually submitted them to the Cabinet, before he left office. Under these circumstances, without offering either praise or blame, and while fully aware that there are some matters which will require further consideration, I shall submit the Estimates to the Committee as well as I am able at this time, without pledging myself as to the future limit of expense to the country, in order that it may acquire a knowledge of the present condition of things in connection with the service, reserving for future consideration all great questions which may arise with regard to Retirement, Promotion, the steps necessary to secure greater efficiency in the Reserves, Recruiting, and the Brigade Depôts. I may, however, tell the Committee that it may be requisite for the country to incur some considerable expense for necessary works and buildings, works which from time to time have been put off on the ground of the country having had to incur a large expenditure in con-

nection with the Fortifications Loan and with the loan for building the brigade depôts, which seemed to render it expedient to defer all works which were not of pressing urgency. The time has now arrived, however, when the construction of these works and buildings can be no longer delayed, for although many married soldiers' quarters have been built, yet many more are required, and I am certain that the Committee will not grudge the money required for such buildings as married soldiers' quarters, which are calculated to confer such a great benefit upon the Army. With a view to more efficient administration, Lord Cardwell, in bringing forward the Army Estimates in 1870, spoke of the necessity there was for bringing the Horse Guards and the War Office under one roof, and contemplated a building adequate properly to contain them; nothing, however, has been done to bring about that result. For that, I am sorry, although it does not concern myself, and, as it is not likely that new buildings will be raised during my tenure of office, I hope something may soon be done, for I doubt whether there is any other office in which the clerks are more inconveniently and more unhealthily housed. In that year, 1870, Lord Cardwell stated that the then First Commissioner of Works was engaged in preparing a plan for a new building which would accommodate all branches of the War Department; but the plan for such a building was only presented with much timidity last year, was withdrawn at the first sign of opposition, and things remain just as they were in 1870, except that the union of the two offices has taken place under these unfavourable conditions. The sanitary condition of the present building is such that some of the inmates are absolutely unfit for work after they have been engaged in it for a few hours, the atmosphere occasioning severe headache. Of my own apartments I cannot complain, as they are well ventilated and have abundance of room, but I have experienced considerable delay in conducting the business of the office, in consequence of the different branches being so widely separated. Turning to the question of recruiting, I have to state that the number of recruits who joined the Army during 1873 was 17,194, of which 7,340 were long-service men and 9,854 en-

gaged for short service. The Report of the Inspector General for Recruiting will shortly be laid upon the Table of the House, but as it has not been submitted, I may shortly state what the present condition of our recruiting is. I have made very careful inquiries into this subject that I may not be misled, and with the view of removing any misunderstanding with reference to it which may exist, and it appears that the recruiting is what is called adequate for the present numbers of the Army in the present year—that is to say, that the ranks of the Army, with the exception of the Artillery, have been filled by the recruits. Then it will be asked—are the recruits of a character to fit them to become efficient soldiers? I have made inquiries into the subject, and I am assured from all the reports, both from medical and from commanding officers, that the character of the recruits is satisfactory. No doubt, men are recruited younger than was the case formerly; but the fact is that the state of the labour market prevents us from obtaining adult recruits, wages being so high; but, although our present recruits are supposed by some not to possess adequate stamina, by means of steady work and good feeding they become very healthy, and acquire a *physique* which fits them for the duties they have to perform. In confirmation, I may say that although I was not present at the last Autumn Manœuvres, I am informed that the men engaged there proved themselves to possess ample physical power to enable them to do what was required from them. Now, in the Cavalry and the Infantry there has been a slight increase; the only deficiency is in the gunners of the Artillery, and that is now being supplied. I believe I am right in saying that this period of the year is one of the least favourable to recruiting—that the Army practically stands now at its lowest ebb, that the drafts are going out to India, and that the ranks will soon begin gradually to fill up. On the general state of the recruiting I can, if the Committee wish, show how it has gone on during every month of the year; but that I do not regard as necessary, and perhaps, it will be sufficient for me to say the general results are favourable. While admitting that there is a sufficient number for the present force, the Inspector General looks forward with considerable doubt and apprehension to

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the period, which is gradually approaching, when greater numbers of the men will be drafted into the Reserve than at present. In the year 1876 this increased drafting will begin. In that year it will not be necessary to provide for such a great number of short-service men as has been generally imagined; but in subsequent years, it will become a question of thousands instead of hundreds, and therefore you will have to provide for recruiting under that new condition of affairs. That is one of the questions which will have to be solved. I do not intend to express any opinion upon it, but I will repeat what is said by the Inspector General—that the question of pension has always been held as the ultimate resort, in addition to the inducements which are offered at present. You have instituted an absolutely new system of recruiting. You are recruiting at your brigade depôts under the lieutenant colonel commanding, who takes the command of the whole district, and I do not think it would be fair or just to judge by a single year of what can be done under that brigade system. There are certain parts where it is admitted to have failed—in the thinly-populated rural parts of the country and in the sea-coast towns, where the inhabitants rather give their sons to the naval service—but the failure in these parts has been compensated by keeping up our old recruiting establishments in London and Dublin. But for the present, at all events, the House will see that I leave open the question as to what it will be necessary to do hereafter in order to encourage recruiting, and turning from the subject, I come to the question which is very much connected with it—namely, the question of desertion. Now, there can be no doubt that desertion has gone on upon a scale which is extremely unsatisfactory, and I hope that some new conditions which are about to be instituted with respect to recruiting may tend to the diminution of desertions. If not already issued, there will be new terms offered in a Circular which is about to be issued, by which the short-service system of the Infantry will be extended to a certain extent to the Cavalry and Artillery. In Infantry the time is six years with the colours and six with the Reserve. In the Cavalry, it is proposed that it shall be eight years with the colours and four

years with the Reserve. These periods were practically settled before I came into office, but they have been fixed after consultation with the military authorities, and there are many reasons which Gentlemen more conversant with the Army than I am can explain, why a longer period of service should be required from a Cavalry than from an Infantry soldier. One reason is that a Cavalry soldier takes a longer time to make, and that, therefore, you ought to have longer use of him than of an Infantry soldier. With respect to the Artillery, it is also proposed to have eight years with the colours and four with the Reserve. In the Engineers and the Army Service Corps, it is proposed that there should be six years with the colours and six with the Reserve. There are also other powers with respect to our soldiers which have not yet been put in force. At the end of three years a man may, with his own consent, and the consent of his commanding officer, be transferred to the Reserve. In that way you may get rid of desertion to some extent, by allowing those who are wearied of the Army to retire. On the other hand, there is a provision that, at the end of three years' service, a man who desires to continue a soldier may enlist for the remaining nine years, and may make his service a long service. In that way you may remove those whom it is least desirable to keep, and you may retain those who are really in earnest, who have volunteered to serve for the nine years, and who are the men whom you would try to attract to the service. [Mr. HOLMS: Does that measure apply to the whole service generally?] I see that the Circular is general in its terms. In future, recruits will be enlisted in the sub-districts either for the brigade of the sub-district in which they are engaged, or for a brigade belonging to any other sub-district, or for any special corps. We shall thus have recruits for special service and for general service, and it seems to me calculated both to attract and retain recruits that they should be able to join with the bodies of men with whom they desire to serve. With respect to desertion, I find that in the year which has just passed—1873—our net loss by desertion was 3,917 men. That gives a percentage on the recruiting for the whole Army of 33 per cent, but that desertion varied



much in different branches of the service. In the Household Cavalry it was 20 per cent; in the Cavalry of the Line, 39 per cent; in the Royal Artillery, 39 per cent; in the Royal Engineers, 24 per cent; in the Foot Guards, 51 per cent; in the Infantry of the Line, 30 per cent.; in the Army Service Corps—in which, however, the recruits were 26 and the deserters 37—146 per cent (*a laugh*); and in the Army Hospital Corps, 3 per cent. It has been said that this is scarcely a fair way of estimating the desertions, but it was the only satisfactory way in which you could show what the balance was from the desertion on the one hand, and the recruiting on the other. The gross number of soldiers, with under one year's service, who deserted in the past year was 2,101; with between two and three years' service, 889; and with over two years' service, 2,332. In connection with this part of the subject, I think that what is wanted is some plan which will put a stop to desertion, or which will, at least, make the condition of the Army such that desertion will be reduced as much as is possible, so as to have a body of men on whose services we can rely. I come now to the question of the Militia, and I find that there is not much difference in the recruiting of the Militia between last year and preceding years. Between the trainings of 1872 and 1873, the number of recruits for the Militia amounted to 27,253, and during the same period the quota it gave to the Army was 4,312; but the recruiting for the Militia does not keep that body to its full establishment. In respect to the Militia recruiting there have been great changes. In the first place, the labour market affects the Militia in the same way as it does the Army. Then there is the prospect of objectionable quarters, and I am told that the probability of having to serve under canvas has had a deterrent effect. Then, again, there is the bounty, which, instead of lasting five years as formerly, is now spread over six years. Upon this point I will not dwell, as I do not like to express any opinion upon it; but I doubt whether it is just or fair that the Militia, who expected their bounty to be spread over five years, should now find it spread over six. With regard to the strength of our Army, we have within a few men the same number as we had last year. We have 128,994 men, with the same

deduction as before as to the 3,964 men who will be with the brigade depôts. Hon. Members will observe, if they look at the Estimates, and compare them with the Estimates of last year, that we have different regimental arrangements this year. There are two regiments who will go to India from the Colonies, and there will therefore be two fewer regiments in England at a strength of 820, because two regiments of that strength will be found for India elsewhere. There will be thus nine regiments instead of seven, at 820 men, and there will be two instead of four at home. We have 55 regiments at a minimum of 520, and 15 preparing to go out at a strength of 600 men, and leaving at the same time, 100 men at the depôts. I have seen remarks made upon the peculiarities of the Estimates as they are presented, because there appears to be a great apparent decrease in the pay of men, and a large increase in the cost of their supplies. It arises, as those who are conversant with military matters know, from the change consequent upon the abolition of stoppage for rations, which was effected by my predecessor. The decrease is mainly in regimental pay; beer money, which amounting to £123,000 is done away with; and the transference of payments to Army accountants, which is a new item. The paymasters were to a great extent included, who used to be included in the first Vote. The Paymasters' department is now called the "Department of Army Accountants," and there is a Vote of £95,639 in the Estimates for the present year which used to appear in Vote No. 1. Whether the Army should be paid by Army accountants or by the ordinary paymasters is a question which requires very grave consideration. The post of paymaster used to be coveted by men who desired to retire from active service. The work is now done by a body of Army accountants, who are to a large extent composed of paymasters. There are, however, about 20 vacancies for paymasters, in addition to about 40 other posts which are not yet filled up. It is intended that the Army accountants should pay for the whole kingdom, and that they should have the control of all the accounts. This may be a prudent and wise economy; but I have not yet had time to give the subject the careful study which it demands,

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therefore I trust that the Committee will excuse my reserving my opinion upon it. This is perhaps, a good opportunity of explaining what is the real condition of the Estimates throughout. The increased prices of food and supplies add £124,000 to the provision and forage item. There is also an increase arising from the additional pay of the men, who used to receive 10½*d.* a day but now receive 1*s.* a day net. That causes an increase of £110,000 in the pay of the men. There is then an increase of £19,000 in other regimental pay and allowances. One of those is for "good conduct pay," which I am sure no hon. Member of this House will grudge. It will, however, be a diminishing item as the short-service comes into operation. There is also an increase of £15,700 in the Staff and other charges in Vote 1, and an increase under the head of Divine Service of £1,300, not for chaplains, but under the head of officiating clergymen. There is an increase £9,100 under the head of Education, Miscellaneous Services, and Administration of the Army; of £3,600 under the head of Control Establishments. With other items, the summary for the whole increase of charge on the Army Estimates for 1874-5 is £282,700. There is on the other hand, a reduction under the head of Stores. We find that the supply of stores is so full and efficient that we can dispense with the payment of £100,000 under this head. There is also a diminution of £16,700 under the head of Works. There was an item under this head which I must take upon myself the responsibility of having struck out. It was proposed to build barracks for Infantry at Sandhurst in order that the young men might see them manœuvred. It appeared to me, however, that Sandhurst was sufficiently near to Aldershot to bring over not only Cavalry and Artillery, but Infantry when they were required, and to place them under canvas. I therefore struck out the item of £8,000 for building these barracks. There is a diminution of £16,000 in the charge for the Auxiliary Forces, and a decrease of £40,000 for the Autumn Manœuvres, which I will explain at the proper place. There is also a diminution of £4,900 under the items Military Law and Medical Establishments and Services, and a reduction of £35,900 for the Non-effective Services. Those diminutions will reduce the Estimates by

£213,500, and they make the net increase £69,200. Practically, the Committee may consider that there is no increase at all, but rather a decrease, if the increase of £124,000 rendered necessary by the higher prices of food is considered. I should like to say a few words here as to the sanitary condition of the Army, and if the Committee will allow me, I will read the Report of the Director General of the Army Medical Department. He says:—

"The result as to the health of the troops in the United Kingdom during the year has been satisfactory. The ratio of admissions to hospital per 1,000 of the strength was 25 below that for 1872, and although the ratio of deaths was rather higher than during that year, it was 33 below the average of the previous 10 years. It will be observed that the results for the three Indian Presidencies, those of Bengal and Bombay in particular, are more than usually favourable. At Mauritius the ratios of sickness and mortality were high, from the continued prevalence of the malarious fever by which that island has been so severely visited during the last few years."

Except in one instance, therefore, it will appear that the condition of the Army is satisfactory. The hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) has given Notice of an Amendment to reduce this small Army by 10,000 men. I call it a small Army, because it has to supply not only England, but India and the Colonies, and it would be idle to talk of an Army of Reserve if you have not an army sufficiently large through which your Reserve are to pass. It is quite true that we are at peace with all the world; but we never know when wars may break out—whether in Europe, India, or in the Colonies, besides which, the question is, whether this Army of 125,000 men can be considered excessive for a great country like England, so that you can reduce it by 10,000 men? The hon. Member wants to reduce the Vote in the lump, and to leave us to find out how and where to take the number from, and yet keep up the Army in proper condition. Now, this House has gone on improving the education and the scientific branches of the Army, and this is not so much a question of reducing the Infantry as reducing your Scientific Corps and Cavalry. The Committee also know what essential service science is now rendering to our Army, and they are not, I hope, prepared to diminish either the number or efficiency of the scientific branches of the service.

The hon. Member seems to be afraid that we are going to compete with the great Continental armies. He takes the reduction *en bloc*; but when he speaks of the armies of Continental Europe as ready for action, and prepared for movement in any other country, he should remember that our Army is not one that threatens any human being either on the Continent or anywhere else; and if we were involved in a war in which it became necessary to send our Army abroad—and I hope no such accident will occur—it must then be regarded merely as the nucleus of the Army which it would be necessary to raise if it had to compete with those on the Continent. I remember that in an amusing speech delivered not long ago in this House, the hon. Member objected to our Army as withdrawing men from peaceful industry at home. As a nation of shopkeepers we have generally been addicted to peaceful industries, and if one is to judge by the vast number of trading associations that are swarming in every direction, and the prospectuses of which leave us no peace in our own homes, I think we need have no fear of disturbing the peaceful industry of the people who are, perhaps, rushing into a great many industries from which they had better abstain. I trust, however, that the Committee will have the good sense to maintain an Army which a Government claiming to be economical—and I do not dispute their title—regarded as not too great for the occasion and for the demands made upon it. I will now say a few words with regard to the education of the officers. I have been asked a Question relating to Sandhurst—not the Staff College, but the Military School there, and I will now say with regard to it, that the position of Sandhurst gives the impression that the Army was made for it and not it for the Army. It was thought proper to do away with the Military School for young men preparing to enter the Army. Some use had to be made of the empty buildings, and it was extraordinary that the plan should have been adopted that young officers should first join their regiments, and afterwards go to school. I speak with the more confidence of the want of knowledge of human nature which this scheme showed, because this system having been instituted by my predecessor, was also given up by him.

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I have merely completed what was in course of preparation. I will now state frankly to the Committee that what I propose to do with Sandhurst, I do experimentally. We propose that for the future, after the first examination—the successful candidates will go straight to Sandhurst. If they had to join Colonial or Indian regiments, sub-lieutenants heretofore have not gone to Sandhurst, but to their regiments, and their future studies were there completed under garrison instruction; but if you continue to send young men who have passed their Civil Service examination, and are therefore in a condition to enter the Army, it must be a question whether they should all of them, both English and Indian, go to Sandhurst; but inasmuch as we have had as yet no negotiations with the Indian Government upon that point, I assume that both those for the Colonies and India will, for the present, join their dépôts at once. Those who go to Sandhurst, will be placed on an unattached list, and will not be posted to their regiments till after they have been a year at the Military College. But there are some for whom no commissions may be ready. They will go as students to Sandhurst, and probably will have to pay some small sum while they remain uncommissioned. With respect to those now completing the term of their year's service as sub-lieutenants in the Army, none of them will be sent to Sandhurst. They will be provided with education under the Director General of Military Education, and steps will be taken, as they do not go to Sandhurst, that they have the fullest opportunity of obtaining a satisfactory military education. With regard to Woolwich, a change is about to be made here also. It has been found that in the examination, Latin has been too much exalted, that it has diminished the knowledge of mathematics, which is essential to the education of an engineer. Additional force has, therefore, been given to mathematics, and I trust that a better state of things will be the result. There have been instances where the best mathematicians have been unable to pass successfully in Latin or modern languages, but they have been found of the very first ability as mathematicians, and have risen rapidly to the highest place there. Without a thorough knowledge of mathematics, a man cannot be either a good



Engineer or Artillery officer. I pass on from the subject of education to the mode in which the Army will be armed. With reference to the time at which the Army will be supplied with the Martini-Henry rifle, which some people have said will be very long, I have got some information which I think will be satisfactory to the Committee. At present, practically, the whole of the Force have the Snider breech-loaders. In a few weeks the whole of the Infantry will, I hope, have the Martini-Henry rifle. By to-morrow there will be 140,000 Martini-Henry rifles in store, and during this year there will be a further number of 40,000 provided. In stock there are 60,000,000 rounds of small-arm ammunition ready for issue. With respect to the question of the sword-bayonet, no absolute decision has been come to, but the old bayonet has been adapted to the Martini-Henry rifle at very small cost—about 2s. each. With respect to Horse and Field Artillery, foreigners themselves being judges, our muzzle-loading 9 and 16-pounders are said to be equal to any arm in Europe, and the Force will be efficiently armed with them. With respect to gunpowder, we have a very large stock also of pebble powder, and it has been found that common powder can be converted into pebble powder at a very small cost. With respect to these stores, I may say, from the information I have received, and making the statement on the authority of persons perfectly conversant with the subject, they are of a very efficient character, and the Reserves are quite sufficient. With respect to the Autumn Manœuvres, I will state shortly what is proposed to be done. Those who have read the Report of the last Autumn Manœuvres will be aware that His Royal Highness the Commander-in-Chief has proposed that there should not always be Autumn Manœuvres, but changes in the disposition of troops and training—and there will this year be two separate trainings of from 10,000 to 12,000 men at Aldershot—one in June and another in July. These, of course, will be of a less expensive character than last year, because they will be made with our present transport, and thus save the £40,000 which was spent last year on horses and transport. I come now to the question of the Militia, and let me say that the Reports of Sir Charles Staveley and

other officers at the Autumn Manœuvres were very satisfactory with regard to the Militia Force. On the whole, the Inspectors were satisfied with them; and the kind of training the officers received with the Regular Army promised to make them most efficient. The numbers enrolled on the 1st of February, 1874, were 101,464; there is, therefore, a deficiency on the establishment of 27,462 men. I ought to mention that there are 294 officers attending the School of Instruction, and of those who have passed the School of Instruction, who may add P.S. to their names, there are 753 in the Army List. There is a Militia Reserve of 29,903, with an Army Reserve of 7,619, making a total of 37,522 men available for foreign service if occasion should arise. Last year there were 127 commissions offered to the Militia; of these there were not so many taken up as we had hoped. Thirty-five have been granted, and as there is to be another examination in April next, there will probably be a greater number disposed of. With respect to the examination of officers passing from the Militia into the Army, it was stated by Lord Cardwell to be such as any gentleman of education might undergo; but, unfortunately, some of those gentlemen of education had not passed, and they complained that only two chances were given to the Militia, so that if they failed twice they could not go up again to be examined. In April next, however, as I before observed, by a relaxation of the rule made in the time of my predecessor, there will be a third examination, when we may hope a larger number will be successful. With respect to the Militia, there are now confidential Reports, which tend to make the authorities better acquainted with the character, skill, and conduct of officers than they have been heretofore. These confidential Reports are to be extended, not only to the Militia, but to the other Auxiliary Forces. With respect to what is to be done in the Militia, it is proposed that there shall be two battalions at brigade depôts, just as the Line has two battalions forming one regiment; the recruiting being regimental, and the promotion of officers being also regimental. That has not been to a great extent carried into effect; the recruiting in many places has not been sufficient, and it will be necessary to consider some changes in

reference to this point. In the present year it is proposed that there should be a reduction in the permanent Staff, which is steadily going on, but it must go on gradually as vacancies occur. It is proposed that there should be only one Adjutant for both battalions, but in the event of the men being called out for training at the same time, another adjutant would be supplied. There will be, of course, in every new battalion a new field officer, and that officer will be taken from the Army, and, if possible, be a resident of the county. Of the same description will be a half of the captains, while the other half will consist of promoted subalterns. There have also been many changes made with regard to quarter-masters, and others are in progress. The question of grouping the regiments has been mentioned, and it must have occurred to those who have looked into the matter that both in Wales and in other parts of the country the bodies of Militia for the different counties are very small—too small, indeed, for real efficiency. But when you come to consider how the grouping of the forces of different counties may be carried out, it is found that a good deal of prejudice and local feeling naturally intervene and cannot fairly be disregarded. It is desirable, if possible, that we should proceed in this matter by gentle, and not by violent means. In Scotland, I believe, the grouping has been carried into effect with very great advantage, and without the jealousy which I am told prevails in some parts of England and Wales, and I am not without hope that by means of further explanations we may be enabled to overcome some of the difficulties which at present stand in the way. With regard to Ireland there is a special objection raised—namely, that there are a great many regiments not only small, but some practically unformed, and, consequently, some steps will have to be taken with regard to them. There will—to allude to another point—be 17 regiments of Militia reduced by two or more companies, because they are unable to maintain their proper strength; but this I hope, like the grouping of regiments, will be done gradually. A word next as to the Army Reserve. This is but a very small body, consisting of somewhere above 7,000 men, part of whom, forming Class A, have entered it for five years, and have no other connection with

the Regular Army, except having once been in it; while there are others, composing Class C, who have been transferred from the Regular Army to the Reserve, in order to complete their period of service. This Army Reserve is paid by the country—perhaps not very highly, but still it is a paid body; and this being so, we ought not to have it only coming up to receive its pay, but ought to be able to put our hand upon it when it is required. At present it is quite obvious that there is a great want of means of acting upon this Army Reserve. Suppose they refused to come forward when called upon in time of war, we might proceed against them as deserters; but suppose that in time of peace the men belonging to Class A neglect their duty, as some of them did, for instance, when they ought to have been going to the Autumn Manœuvres, you really have no means of punishing them, for removal from the Reserve may be no punishment. Then as to these men in Class C, you cannot transfer them back to their regiments, and if you dismiss them from the Reserve, it is only giving them a release which otherwise they would have to pay for by a sum of £20. These are things which call for some further legislation, because it is evident that if this want of control is to be tolerated, the Army Reserve must become a mere fictitious thing. A system by which every man should be compelled to present himself when called upon seems to me to be necessary. In short, the question affecting the Army Reserve is simply one of discipline. With respect to the Yeomanry, there is no increase in the Vote this year, but there is a slight change to be introduced, for in some of the more important cases, instead of a sergeant-major acting as adjutant, there will be a Cavalry captain appointed to the post, and of course the latter must be treated on a somewhat different footing from the former. The figures before me show that the Yeomanry—a body consisting of 15,129 men—has been working pretty efficiently, and now that it is inspected by selected Army Cavalry officers, on a regular system, there is reason to hope that in the future it will be still more efficient. Mounted drill with the Westley-Richards breech-loader, and dismounted drill are being carried on in such a way as to render the Force really effective for the kind of work it would be

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called upon, in the event of an invasion, to discharge, and although an invasion of this country is an eventuality not so much talked of in these days as it used to be, yet there are Continental critics who maintain that it is quite within the bounds of possibility. With respect to the Volunteers, who form the remainder of the Auxiliary forces, there is no doubt they have been, as to numbers, in a state of backwardness and decadence for several years past. Originally the number of enrolled men—far, however, from efficient men—was 199,000; this year there are only 153,000, but these are efficient, and in paying for them, you are paying for something which is far more worth having than what formerly existed. Although I should be glad to see the numbers of the Volunteers keep up, it is still more important that they should be in a state of efficiency, and I learn from the Reports of the Inspector General that they are more efficient now than they have been for a number of years past, and this is a result with which the Committee has reason to be satisfied, although in numbers there has been a very great and continual falling off. We find also a slight increase in the number of the officers. Last year there were 2,233 officers wanting, while this year there are only 2,164. The Volunteers, however, have a larger proportion of officers than the Regular Army, and, in the country districts especially, it is unavoidably difficult to find men qualified for the duties. In connection with this Force, permit me to say that it is proposed to modify some of the rules with regard to efficiency. It is proposed under the new scheme, which will shortly be out, that whereas for two or three years past, all Volunteers have had to fire five rounds in squads of not less than five files, in future the requirement will be that recruits only should fire five rounds, and this in squads of not less than two files. Secondly, instead of requiring that, exclusive of the permanent Staff, there should be not less than a hundred men present at a battalion drill, not less than 16 of these to be officers and sergeants, the minimum number will in future be 80, of whom not less than 16 must be officers and sergeants. Then, instead of 20 being the minimum number required at a company drill, it will in future be only 16, while the number of officers and sergeants will

be reduced from three to two. It has been thought, not only at head-quarters but by the commanding officers and the Inspectors of Volunteers, and by the commanding officers in the brigade districts, that these new provisions will be sufficient to secure efficiency. They will at the same time give great relief to the Volunteer officers and men. There have been some complaints, and it has been under consideration whether some examination cannot be provided for Volunteer officers at the brigade depôts. As no plan has yet been matured, I need not detain the Committee by referring further to the point. Not less than 1,712 officers have passed through the existing Schools of Instruction, and obtained certificates of efficiency, and this, I think, is very satisfactory. Including all the different Forces to which I have referred, the total number of men is about 430,000. With regard to the brigade depôts, I shall say but little, as they are in course of formation rather than formed; and it would be unjust before they have got into working order to express an opinion on the merits of the system. There are to be 70 altogether. The number actually established is 31, of which, however, seven are provisional as to place. Fourteen others will be ready this year, or, at the latest, in 1875. With respect to a tactical station in the North of England, that question was mentioned by my Predecessor and it still remains in abeyance. Negotiations are going on for the purchase of land suitable for the purpose, and I trust they will be brought to a satisfactory conclusion. With respect to expenditure, the Treasury has already sanctioned the laying out of £1,093,000, including a sum of £259,119 on contracts for which we are now absolutely liable. I said that the Works had been diminished for some years, or kept as low as possible, on account of the fortifications, and probably the Committee will be glad to know the condition in which the Fortification Loan is. The Fortification Loan was originally £7,460,000, and that was to be raised by instalments. That was in 1860. As everyone knows, great progress has been made since that year, both in defences and in guns, and that involved the necessity of our proceeding with great caution. At this moment upwards of £6,000,000 of the



sum voted has been expended upon fortifications, and a balance remains of £759,775. From the Report of the Fortification Commissioners, which will no doubt be published, it appears that the fortifications are of a most efficient character, and that, with the exception of those at Portsmouth and Plymouth, they will be finished within a year. Those at Portsmouth and Plymouth will be finished within two years. At that time, I believe, so carefully has the money been expended, considering the rise of prices, there will be found a small balance of £50,000 or £60,000. That, however, may probably be got rid of by some contingency that may arise. But the Fortification Loan has been expended so far within the limits assigned to it by Parliament. With respect to these fortifications, I may say generally, that so far as the loan is concerned, the sea defences have all been armed as nearly as possible. They have been armed very efficiently, as I believe, with very heavy ordnance, of a character suited to the defence of the fortifications which require them. With respect to the land batteries, practically nothing has been done; but there are in store a large number of guns which can be converted into rifled guns, and thus be made very well suited for these batteries. With respect to the fortifications mentioned in the Estimates, there are a great number of them as to which I need not go into details, which are given in the Vote; but I may observe that by to-morrow 800 guns of all calibres will have been supplied to those batteries. That, however, would hardly give you an accurate estimate of the condition of things, because 305 more are required to be provided of enormous weight. The 800 guns that have been supplied weigh 11,600 tons, whereas the 305 still to be supplied will weigh 7,300 tons, so that they will be much heavier ordnance than those that have gone before. With respect to the Navy, for which we are manufacturers, the Committee will observe there is a Vote in the Estimates of the expenditure on that account. Of course, there has been considerable outlay in connection with the torpedo, and I am happy to think that there are a great number of torpedoes in store, which will be very admirable defences for seaports and for rivers. By some of these torpedoes we may save the country great expenditure, which

might otherwise be necessary; for I believe the torpedo will greatly increase in value, and will probably be the means of preventing a hostile invasion of places which would otherwise be open to attack, and this applies to commercial ports as well as naval arsenals. Now, in order to utilize all these men and all these materials we require a great deal of information. I could not but be struck in the course of the discussion that has occurred to-night with what was said by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) as to dearth of information. Is it not a remarkable thing that though we had been in possession of territories upon the Gold Coast for such a great number of years, there was so little information with respect to the interior of that Coast that in sending out the Ashantee Expedition all sorts of useless things were provided, and all sorts of useful things were omitted? [Mr. CAMPBELL-BANNERMAN dissented.] I am only repeating what has been said practically to-night—that when Sir Garnet Wolseley was sent out the Government was absolutely without information. In this country we were so absolutely without information as to the interior of the Coast that we could not decide, till we had received instructions from Sir Garnet Wolseley, after his arrival there, what was really required. That is a most unsatisfactory state of things, and I hope that the Intelligence department now connected with the War Office will, in the future, give us instruction that will be satisfactory. Hitherto, we have been supplied with admirable information collected from foreign sources, and have been content with being ignorant of our own country and our own colonies; but I hope that this Intelligence department, by corresponding with officers in every part of this country, by calling their attention to all the strategical points in their district, by obtaining information with regard to roads, canals, railways, and everything connected with their district, and by obtaining similar information with regard to our Colonies and the means of defence at their disposal, will remedy this state of things. It is important that information on these subjects should be accurate and complete, and although it is a small and cheap portion of the War Office at present, I do not doubt that this Committee, or any Committee of

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this House, will always be ready to supply sufficient means to improve, if necessary, the work of this Intelligence department. I thank the House very much for giving me its attention. I know how deficient a statement I must have made, and that I may have shown a great deal of ignorance, which I own and bewail, upon many details connected with the Army. I trust, however, if it be my fortune to address you upon the subject of the Army another year, that I shall be better prepared to do so. In the meantime, let me ask the Committee to remember that they are dealing with an Army and Auxiliary Forces, all of whom are Volunteers. Let us remember that in dealing with these men that they are not like chessmen that we can place here or there just as we please, but that their feelings, affections, and it may be their prejudices should be carefully respected; that whether they be officers or men they should have confidence in the Government of this country, and feel that they will ever receive from us that just attention which they are entitled to claim at our hands; and without prejudicing any question which may arise hereafter, I say that in dealing with our countrymen who volunteer for this arduous service, justice should be combined with kindness. Above all, it is important that we do not content ourselves with an army upon paper, but be sure when the War Minister brings forward the Estimates, that behind the shadow shown to this House, there is real substance upon which we can rely, from which we can make drafts on every occasion that may arise, composed of men who will confer honour upon themselves, and do as much credit to the country to which they belong as that body of men and that body of officers to whom the House has just paid a due tribute of thanks. The right hon. Gentleman concluded by moving a Vote for 128,994 men.

(1.) Motion made, and Question proposed,

"That a number of Land Forces, not exceeding 128,994, be maintained for the Service of the United Kingdom of Great Britain and Ireland, and for Depôts for the training of Recruits for Service at Home and Abroad, including Her Majesty's Indian Possessions, from the 1st day of April 1874 to the 31st day of March 1875, inclusive."—(*Mr. Secretary Hardy.*)

SIR WILFRID LAWSON, in moving, as an Amendment, the reduction of the Vote by 10,000 men said, he was sure the Committee was very much obliged to the right hon. Gentleman for the able and eloquent way in which he had moved the vote. He (Sir Wilfrid Lawson) had ventured to put an Amendment on the Paper, and was glad to have had the benefit of the assertion of the Prime Minister that evening that the efficiency of an Army did not depend upon its size. This was the most important Vote which came before the House of Commons in the course of the year. It was a Vote involving policy and not confined to details, because when once the number of men was voted, the spirit was out of the whole thing; you must feed, house, and clothe the men. When General Peel was Secretary for War—and an abler never sat in this House—he used to reckon the expense of every man roughly at £100, so that if the Committee knocked off 10,000 men, as he now proposed, they would save something like a million of money. Perhaps a million was not thought much of in these days of large surpluses; but it would be a great thing for the Chancellor of the Exchequer, especially when he was harassed twice a week by interests clamouring for remissions of taxes. Of far greater importance, however, than the money saving was the policy now at issue. The present Prime Minister had once declared that "expenditure depends on policy." He was right; but would he kindly inform the Committee what was the policy which required us to keep on foot at this time in the United Kingdom, a larger Army than we had ever had since 1810, when we were threatened by a French invasion? Her Majesty had announced that her relations with all foreign Powers continued most friendly, yet we were now asked for 26 more men for the Regular Army than were deemed necessary last year. Certainly, 26 was not a large number; but still it was an increase; and if these, as they had once been told, were "transition Estimates," the transition was from bad to worse, for an increased expenditure of £69,200 was now proposed over the Estimate of 1873-4. He thought when, as Lord Cardwell had promised, the Army had been "blended into one harmonious whole," the cost of maintaining it would be reduced; but that did

not seem to be the case. Would the right hon. Gentleman take the House into his confidence, then, and tell it against whom we were arming in this extraordinary way? Lord Cardwell had referred to "enormous military Monarchies" abroad, and had appealed to the House whether the Army he proposed for this country was disproportionate in numbers. The right hon. Gentleman the present War Secretary had talked in much the same strain, but would he "condescend to particulars?" Against which of the Continental Monarchies was it necessary to maintain it? Not against Russia, because we had given up by treaty all we had previously fought for. He was glad that hon. Gentlemen opposite agreed with him how foolish it had been to fight with Russia. ["No!"] At all events, having relinquished by treaty what we had gained in war, we were not likely to fight with Russia again. Besides, had not an additional bond of union been formed with that country by the Royal Marriage, at which they all rejoiced? As to France, little need be said. Some 12 or 15 years ago, we used to be in constant fear from that quarter; but poor France was now crushed to the earth, and no alarm was felt by anyone as to invasion from her. She had enough to do, he was sorry to say, in preparing against Prussia. With some people in this country Prussia had taken the place of France. There was always some bugbear; but Prussia was as busy in watching France as France was in watching her. The right hon. Gentleman had said something about our liability to little wars, but surely there was no intention of entering into more wars like that against Ashantee? We had just recognized, and very properly recognized, the gallantry shown by our soldiers during that war, but the House did not, by such a Vote, endorse the policy of the war itself. What had we got by it? We had brought back nothing from that country except an old umbrella and a treaty. [*Laughter, and "No treaty."*] Well, he did not regret that there was no treaty, for he thought a treaty would have been as worthless as the umbrella. We had given up interference in European quarrels, and he felt sure that the new Ministry, with Lord Derby at the Foreign Office, would keep us free from such complications as the late Government had led us into, and that they

would not approve such schemes as had just been propounded in the press by a gallant officer—an army of mounted infantry who could cut their way through Europe. We did not want to cut our way through Europe. Happily, during the late war between France and Prussia we took no part, and did not seek to increase the bloodshed; we only invaded France with assistance and provisions. Moreover, we had lately adopted a system of arbitration in international disputes. No doubt many people thought the arbitration at Geneva resulted rather unsatisfactorily, and in his opinion we had paid more money than we ought to have paid. But he had ten times rather pay many millions than sacrifice the lives of his fellow-countrymen; and, having submitted to arbitration in one case, an able Government like that before him might also bring disputes with other countries under arbitration, if we had any such disputes. That being so, why keep up the present machinery of destruction? The usual answer was—"because we may get into quarrels from which we cannot escape, honourably, without going to war." Of course such a result was possible, but might not the remedy be worse than the disease? Was it not better to run some slight risk than to keep up all this machinery? He should, perhaps, be told that it was unstatesmanlike to adopt such a course. But Sir Robert Peel in 1850 said, in time of peace we must by retrenchment consent to incur some risk. The question was, whether by husbanding our resources we were not ultimately stronger than we were after incurring this perpetual outlay? The present Prime Minister, in 1859, said—

"Let us terminate this disastrous system of rival expenditure, and mutually agree, with no hypocrisy, but in a manner and under circumstances which can admit of no doubt — by a reduction of armaments — that peace is really our policy. Then, Sir, the right hon. Gentleman the Chancellor of the Exchequer may look forward with no apprehension to his next Budget, and England may then actually witness the termination of the income tax."—[3 *Hansard*, clv. 179.]

Hon. Gentlemen opposite seemed to forget that we had a Navy. His hon. Friend the Member for Hastings (Mr. T. Brassey) stated two or three years ago—and he still retained the opinion—that our Navy was superior to the united Navies of the world. We really insulted

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the British Navy by these large levies of forces. Besides, there were the Auxiliary Forces for the defence of this country, and if they were of no use and did not enable us to reduce the strength of the Regular Army, they were nothing better than shams. The Minister for War had asked him why he (Sir Wilfrid Lawson) had fixed on 10,000 men? Well, he confessed he could assign no reason for fixing on that particular number. All he wished to do by his Motion was to protest against our large Army, and on looking back at the Division lists on this subject for several years, he found it did not much matter whether he proposed a reduction of 10,000 or 20,000 men, for his Motion was always rejected by a large majority. It was evident that this was no party attack. He did not expect, however, to get any recruits from among his Friends on the opposite benches. Indeed, the only Friend he could rely upon on that side of the House was the hon. Member for Ashton-under-Lyne (Mr. Mellor). The Leaders of both the great political parties objected to the maintenance of our "bloated armaments," as the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) once termed them, and they would be most happy to carry out their views were they not prevented from doing so by party considerations, by the strong military influence in that House, and by the popular apathy, for he did not mean for a moment to say that this was a popular Motion. Those who sat on his side of the House had always professed the principle of retrenchment, though he was sorry to say they had not always acted upon that principle when in office. The party had recently suffered a great disaster, for they had been shipwrecked; but there were a few survivors of the crew who had saved their lives, and he trusted, their principles also. He hoped they would now oppose this vast expenditure, which, if not proved to be absolutely necessary, must be opposed to the true interests of the nation. In conclusion, the hon. Member moved to reduce the number of men by 10,000.

Motion made, and Question proposed,

"That a number of Land Forces, not exceeding 118,994, be maintained for the Service of the United Kingdom of Great Britain and Ireland, and for Depôts for the training of Recruits for Service at Home and Abroad, including Her

Majesty's Indian Possessions, from the 1st day of April 1874 to the 31st day of March 1875, inclusive."—(Sir Wilfrid Lawson.)

COLONEL BARTTELOT remarked that his hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) who had just brought forward his annual Motion for the reduction of the Army with his usual good temper, proposed at a City banquet some time ago the health of the hon. Member for Merthyr (Mr. Richard). While giving both those hon. Gentlemen credit for good intentions, he could not think their Motions were well-founded, either with regard to the opinions of this country or of foreign nations. His hon. Friend thought the time had come when the lion might lie down with the lamb; but had forgotten that in every nation of Europe, instead of any diminution being made in armaments, statesmen were endeavouring to place in the field a greater number of well-equipped men than had ever been known before in the history of the world. Yet his hon. Friend was now asking us to reduce our small Army by 10,000 men. His hon. Friend admitted that the Crimean War was a great mistake, and he also admitted that, after we had fought to attain a certain object, we had men who could throw that advantage to the winds, and who thought that what we had fought for was not worth maintaining. If his hon. Friend was in earnest in his proposal to reduce the Army, in what branch of the service would the hon. Gentleman make his proposed reduction—in the Cavalry, or the Artillery? He thought the hon. Gentleman would not be disposed to touch either of those branches; and in point of fact he had not shown where he would begin his reduction; it certainly could not be in our attenuated Infantry battalions. The hon. Gentleman had confessed that the country did not want a reduction of the Army, or the petty retrenchments which had been effected by the late Government. The hon. Gentleman also spoke of the great reverse of his party, and that retrenchment might have had something to do with it. He, (Colonel Barttelot) for one, was not opposed to economy; but seeing that the country was in a state of unexampled prosperity, surely they were not paying too high an insurance in keeping up an efficient body of men in the Army to sustain and uphold that

prosperity. With regard to Lord Cardwell, he had something to say in reference to his conduct respecting the Army, and he should have been glad if he were still a Member of that House, so that he might hear what he (Colonel Barttelot) had to say on that subject. He candidly admitted that Lord Cardwell had done much for the Army. He had done much for the Artillery, an arm of the Service which had stood greatly in need of improvement, and which was now brought into a more creditable position than it had ever stood in before. He admitted also that Lord Cardwell had done much for the Militia, and much to promote the efficiency of the Volunteers. He had done much for the Militia in proposing to abolish the billeting system, an improvement which was now in the course of being carried out; and he would have done everything required had he not in a measure spoilt all by passing an Order that men should serve six years for the same bounty for which they were formerly to serve only five. He ventured to say, also that the regulations made by Lord Cardwell with regard to the Volunteers tended very much to the better discipline and efficiency of that force. And now coming to the Army itself, he should be unwise and untruthful if he were to state that its management was all that could be wished. He would be untruthful if he were to say that the name of Cardwell was revered in the Army. On the contrary, it was a name from which men turned away. And why? No doubt many things had been done by Lord Cardwell in the best interests of the Army, but in many respects he had signally failed, and for this reason—Lord Cardwell had endeavoured to destroy more or less completely the regimental system, and that *esprit de corps* which was the very main-stay of our army, and which above all things had carried it through so many successful campaigns. In doing that, Lord Cardwell had trodden on the prejudices of the Army, and he had done many things in which it was to be hoped the present Secretary for War would not follow him. It was all very well for people to say, why should not a man do as well in one regiment as in another; why should he not be promoted from one regiment to another; why should he not fight as well in one regiment as another? No doubt he would fight as well; but

Colonel Barttelot

they had only to look to the last campaign to see what *esprit de corps* had animated everybody from the colonel to the drummer, as if he thought his own regiment the best, and they might depend on it, anything that injuriously affected that sentiment would injure the efficiency of the Army. His right hon. Friend (the Secretary of State for War) had made an admirable statement that evening, for while he pledged himself to look into everything, he had absolutely committed himself to nothing, except to those things which he believed could be done with advantage. There were some grievances with regard to the abolition of purchase which ought to be remedied. He was not going to re-open that question, for purchase was abolished, and no power could alter that. But in abolishing purchase that House, with a liberality which it meant to be carried to its just and legitimate conclusion, left in the hands of those in authority power quite sufficient to do many things which had not been done. He only hoped the Commission which had been appointed would appreciate the work they had to perform; and while thinking that it would be a great mistake for any right hon. Gentleman to depart at once from all those main lines which had been laid down by Lord Cardwell, without giving them a fair trial, yet he thought that anyone looking into what was intended, without departing from the lines of that policy, might be able to make it work more in harmony with the feelings of the Army and of the country. His right hon. Friend had said, with regard to commissions from the Militia into the Line, that but few officers had been able to pass the requisite examination; that he hoped they would be more successful in future; and that he intended to give them another trial in May, so that they would have three trials. That was perfectly fair. There was, however, a matter to which he (Colonel Barttelot) wished to call attention. Two young men went up for competitive examination, one of whom passed, and passed well, and the other was plucked. The one who passed well in due course got a sub-lieutenancy in a regiment, and the other who had failed passed into the same regiment as a lieutenant from the Militia. Was it fair that a man who could not pass should go in over the head of the other through the Militia?



The way to prevent such a grievance arising was, in his judgment, to give officers of the Militia sub-lieutenancies, the same as were given to those who were appointed in the first instance to the Line, and in that way much odium would be avoided. Then as to dépôt centres, the great object of those centres was "to unite in one harmonious whole" all the branches of the Service. Moreover, the regiment belonging to the county was at times to be at its dépôt centre, so that both officers and men should be well known, and that recruits should take pride and pleasure in joining their county regiments. But up to the present this intention had not been carried out, and where recruits had been got for county regiments, and those regiments for the moment happened to be full, instead of keeping the recruits as supernumeraries they were drafted off into Scotch regiments, and sent to places where they were wanted to fill up vacancies. [Mr. CAMPBELL-BANNERMAN: Against their will?] Whether against their will or not he would not say; but at all events, it was against the principle that had been laid down. His right hon. Friend had stated that the recruits coming in were of a fair kind and quite qualified to do their work. But he was informed by commanding officers that most of the recruits were very little over 16 years of age, though no doubt they enlisted as 18. Was it possible that young men of that age could be made fit to go anywhere, and do what a British soldier ought to do? Some time ago 20 years of age was fixed as the minimum at which a soldier should be sent to India, but if men enlisted at 16 stating they were 18, no doubt they were sent to India long before they were 20. With respect to regiments in India, he thought it would be much better to send them in full fighting force, complete in all ranks, for five or six years, and then bring them home again, than our present system of sending them out for 12 years, and filling up the losses caused by death, disease, and other causes, with young and raw recruits. The cost of passage was now so cheap that such a change would add little to our expenditure, while it would keep the Indian Army up to a much higher standard of strength and efficiency. But his right hon. Friend had told them that during the last year 17,000 recruits had

entered the Army. Supposing they were all stout, able-bodied men—not lads of 16 years of age—there was an offset to the statement. During the same period the Government had got rid of, or the men themselves had rid the Government of, 20,400 men. Of these 6,000 had deserted, 1,800 had been removed to the Reserve, 3,500 had been granted their discharge to which they were entitled, 2,000, after 21 years' service, had been pensioned off, 1,000 (12 years' service) also discharged, 3,000 had purchased their discharge, 200 had been dismissed with ignominy, 2,000 more had received what was known as free indulgence, and 900 had left the Army under other heads. If the number of the Army was increased at the rate of 17,000 a-year, and diminished at the rate of 20,400, what would its state be in a few years with our present system of short service? But it was said that the men, after serving the short period, passed into the Reserve, of which it was also said that in 1882 we should have 80,000, at a cost of £569,250. He was afraid that that would be, to a large extent, a paper Army, and that when the right hon. Gentleman the then Secretary for War wanted to lay his hands upon them, they would not be found. The only way to secure them was to insist upon their mustering at least eight days in every year for drill and exercise, insisting upon their registering their residence in the district to which they went to live, and further upon a new register if they removed to another. It might be said that this was done already; but he had reason to believe that it was not done effectively, or to any great extent. He would also urge upon his right hon. Friend the importance of dealing liberally with that important body of men, the non-commissioned officers. There could be no truer economy than to pay well the men upon whom the efficiency of the Army so largely depended. He also thought the surgeons in the Army had a grievance. They now had Staff appointments and not regimental ones, which was considered a hardship, as they were liable to be removed at any time from their regiment. He also wished to ask, whether it was true, as was reported, that instead of regimental hospitals it was intended to have one large hospital in each military district, which would be much worse for the men, as neither them-

selves nor their constitutions would be known to the surgeons there. With respect to deserters, he did not—as he had been misrepresented to have done last year—wish the system of “marking” to be brought back; but it was certain that since it had been abolished desertion had greatly increased: and, further, that deserters frequently enlisted into other regiments only for the sake of the bounty, in order to desert again. Some means ought to be taken to prevent this, and he thought placing them under the surveillance of the police might be useful. He believed his right hon. Friend was sincerely desirous of increasing the strength and raising the character of our Army, and that he would be willing to listen to any suggestions for that purpose of a practical nature, and therefore he had pointed out where he thought improvements might be made.

MR. J. HOLMS said, the Estimates of the year had been presented to the House under very peculiar circumstances. In the first place, they were presented by the right hon. Gentleman who could not be said to be responsible for them, and they must all admire the spirit and the ability with which he had performed the duty; secondly, they were presented to a House of Commons composed largely of new Members; and, thirdly, they were presented while the Army itself was still in a state of transition. Happily, therefore, they could discuss the question free from all party bias. For himself, he had always felt that there ought to be no party spirit in dealing with the constitution and maintenance of the Army, and with regard to the present occasion he would remark that, having expressed his opinions fearlessly when his political Friends were in office, he should do the same now they were in Opposition. He was afraid that the right hon. Gentleman had given the House a rather rose-coloured version of the state of the Army. The expenditure was about £69,000 more than last year, yet the total strength of the British Establishment, Militia, Yeomanry, and Reserve, was smaller—namely, 294,500, instead of 306,000. Returns for which he had moved, in order to ascertain the actual numbers at an average period of the year, showed that the non-commissioned officers and men of the British Establishment on the 30th November

last numbered 112,187, being 5,415 less than the number in the last Estimates. The Militia was only 101,087, instead of 125,224 men. The Yeomanry were 3,356 men short; the First Class Reserves, 2,473; and the Second Class Reserves were 1,338 men short, giving a total deficiency of 36,700 men; so that, while 291,000 men were voted, the actual number was only 255,000. As to the quality of the men, only those between 20 and 30 years of age would be accepted by all Europe as efficient soldiers; yet, out of the 90,500 on home service, 32,000 were over that age, and during the year there were 68,000 admissions into hospital, 3,360 men being constantly sick. For his part, he believed that if they acted upon the common-sense principle which was adopted in the Prussian Army—namely, of not keeping any young men in the Army after 22 or 23 years of age—they would get rid of much of that immorality which the present system encouraged so much, and which required the enforcement of the Contagious Diseases Act. [“Oh!” and a laugh.] Hon. Gentlemen seemed to laugh, but had they considered the condition in that respect of the Prussian Army? In the year 1867, a very eminent medical man gave evidence to the effect, that out of a camp of 20,000 only four were withdrawn on account of the disease we encouraged by keeping our soldiers in an enforced state of celibacy. With respect to desertions, he found that up to the 1st of January last they amounted to 7,500. 500 of these were recruits. Of the remaining 7,000, 1,200 had returned to the Army, 1,700 and odd were apprehended, and about 4,000 escaped. These facts showed clearly the amount of discontent which existed in the Army. In the year 1873, 1,914 men were constantly in prison, 2,025 men were discharged from the Army as bad characters, after having been about five years in the service, and 309 were discharged on conviction for felony—that being another and a new road out of the Army. Altogether, no fewer than 12,605 men were from one cause or other taken out of the Army in that year; and there also retired on pensions 4,069, and by purchase 2,981, making a total of 19,655 withdrawn last year. How were they to replace these men? The noble Lord the late Secretary for War (Viscount Cardwell) stated in the year 1870 that in

order to carry out his plan and maintain the Reserve at the amount necessary they should have 23,000 recruits a-year. Well, in that year 23,000 recruits were obtained, and in the following year that number was exceeded. But in 1872 the number fell off to 17,317, and last year it reached only to 17,194. They were, therefore, recruiting about 6,000 fewer than were required to keep up the proper strength of our Army. He would now turn to that other Army, the Militia, which was most antagonistic to the Regular Army, as regarded recruiting, and which was far more efficient as far as age was concerned, for of its total number only 16,000 were over 30 years old. For that Force, which numbered 101,000, 25,864 recruits were obtained last year, and that number was scarcely sufficient to maintain the Militia as it ought to be kept up. Now, the Regular Army was composed of two-thirds of agricultural recruits and one-third townsmen, and there was this peculiarity as regarded desertion, that the agriculturists furnished only one-third of the deserters, while the townsmen furnished two-thirds. It followed that, beyond all doubt, the agricultural recruits were the best and safest for the Regular Army. With regard to the Reserve Force, the great difficulty was, that they had no hold upon them. In 1871, only 600 men were out to drill, and last year very few of the Reserve Force attended the Autumn Manœuvres, and these volunteered to do so. As he had stated, they were recruiting at the rate of 25,000 for the Militia, while for the Army they were obtaining 6,000 men below the required number. Now, in the recent debate on the Army Bill at Berlin, Count von Moltke stated that, though the German Army was smaller than the French, it had the advantage of not including the Militia element. War, he said, carried on by Regular troops was the cheapest, because the shortest. Even Washington, as he pointed out, found the uselessness of Militia, and again and again insisted on the necessity of maintaining a Standing Army. The Militia Force was not regarded as one which would be of value to us in real warfare, and was there not a danger to the country in the fact that there were 10,000 deserters from the Militia and 4,000 from the Regular Army; in all 14,000 partially trained and discontented men

escaping in one year into private life? He ventured to suggest that, for a time at least, they ought to stop recruiting for the Militia, so that the Army might have the advantage, temporarily, of all the available and eligible recruits in the Kingdom. They ought also to pass into the Militia from the Army those older soldiers of whom we had so many. The effect, he believed, would be to improve the Militia by the presence of 10,000 old soldiers, and to encourage Militiamen to pass into the Army more quickly than they now did. Above all things, they should pay the men a higher rate on passing into the Militia than into the Reserve. If they paid them £20 a-year instead of 4*d.* a day as at present, they would in a few years have a Militia mainly composed of men who had passed from the Army, and the saving to the country would be very great. He rejoiced to hear from the right hon. Gentleman the Secretary for War, that it was the intention of the Government to allow men of all arms to pass, if they so desired, into the Reserve after three years' service. [MR. GATHORNE HARDY: With the assent of the commanding officer.] He so understood, and believed the system would be attended with good results. This he would urge upon Her Majesty's Government — that if they were to prepare for the year 1876, it was essentially necessary that they should cease to recruit for the Militia, otherwise, it would be hopeless for them to think of obtaining anything like the number of men they would require to fill up the gaps in the year 1876 and the following year. It had always been held up as a bugbear in the way, that if they had their Indian and Colonial Armies in connection with their Home Army, it was impossible to have short enlistment for the Home Army. He demurred to that view. They might still have separate enlistment for the Indian and Colonial Armies, and it would have this advantage—that they could give to those who were—as many were—desirous of going abroad, the option of proceeding to India or the Colonies, and to those who wished to stay at home the opportunity of passing into the Home Army, and thus a great many would be induced to join who did not care to go abroad, and many would join also who did not wish to stay at home. The country was desirous of securing not only economy



but efficiency, and he did not think they could have thorough efficiency until the Army was divided into Army Corps. When he first made that suggestion some years ago, a Member of the then Government told him that it would be impossible in this country to carry out such a system; but what, he asked the Committee to consider, would have been the result if they had had an Army Corps system in the case of the late Ashantee War? Had Sir Garnet Wolseley been at the head of an Army Corps, he might have selected from it such men of each arm as he thought proper, and the War Department would only have had to provide the requisite transport for the troops. He was satisfied that until our military force was divided into Army Corps, it would never be really efficient. He had no doubt that the object of his hon. Friend in moving the Amendment was economy; but under present circumstances, he could not vote for it, and trusted that it would not be pressed to a division. The true road to economy with efficiency would be to pass the men through the Regular Army, and till they did that they would not have a reliable Army. He did not understand how they could continue to pay £30,000 for the Reserve Force of the Militia, and he trusted that the right hon. Gentleman would endeavour to do what he could, so that they should not appear in the Estimates at all.

COLONEL ALEXANDER said, he should not abuse the patience of the Committee, if they would listen to him for a short time. Different people had different views as to the number of men of which our Land Forces should consist, but he was afraid that, owing to the great difficulty of recruiting under our present system, we were in danger of not obtaining the number of men the Committee were asked to vote, and consequently, of having what the Secretary for War had so properly deprecated in the course of his speech—a paper Army. He agreed with the hon. Member for Hackney (Mr. J. Holms) that our agricultural labourers made the best soldiers; but how were they to be persuaded to enter our Army? If recruiting failed to bring into the Force the requisite number of men, there must be something wrong with the system. The regiment in which he had held a commission for the past quarter of a century

*Mr. J. Holms*

was in a very bad condition as regarded its numbers—it being 70 below its proper strength. Although it had 62 recruiting agencies at work about the country, it had only obtained one recruit during the past fortnight, and he was in hospital with the view of his being discharged as being unfit for the Service. But that did not represent the full extent of the evil, for there were at present 67 men in the regiment who were urgently applying for their discharge, and although discharge by purchase was sanctioned by the regulations, yet the commanding officer was compelled, much to his regret, to refuse to these men the privilege to which they were morally entitled, because he was unable to obtain recruits to fill their places. It must be remembered also that whereas the effective strength of a battalion of the Guards was 820 on the 1st of April, 1873, it was now only 750, which for the whole regiment was a reduction in force of 210 men. Nothing was more fatal to recruiting, than the report getting about that men were detained in the Army against their will. He did not see how the rates of pay could be increased, and, indeed, when unskilled labourers could command their 4s. a day in the country, he did not see how the Government could compete successfully in the labour market against ordinary employers. In his opinion it was pension and not pay the men required. It was said that under the present short-service system pensions could not be granted. But our short-service system was copied from the Prussians, and he warned the country against following too servilely the Prussian system. We must adopt either the system of pensions, or that of conscription, and the country was not as yet prepared to adopt the latter system. If we could not have short service combined with pensions, we were better without the short service. He should recommend that in addition to the fines imposed for drunkenness being distributed among the meritorious soldiers on their quitting the Force, the fines imposed for absence without leave should be applied for a similar purpose. He would like for a moment to refer to a plan, the idea of which he believed originated with Colonel Anderson, of the brigade dépôt at Chester. That plan, which he believed to be well worthy the attention of the right hon. Gentleman

the Secretary of State for War, was this—to increase the soldier's daily pay by 2*d.*, and to place the amount to his credit in the regimental savings bank, to accumulate at compound interest until his discharge at the end of 21 years' service, the soldier, moreover, to have the privilege of disposing by will, in the event of his death before the completion of his engagement, of the amount standing to his credit at the time of his decease. Again, the system under which medals were distributed for long service and good conduct was not extremely satisfactory. The number of men who fulfilled the conditions entitling them to this reward was almost always largely in excess of the medals available for distribution, and consequently, the task of selection was an extremely invidious one; and as the medals were very properly distributed at a full-dress parade, it was easy to imagine the disappointment occasioned to non-recipients almost, if not equally worthy. That was a point which was well worthy the attention of the Secretary of State for War. There was another way, too, by which we might greatly augment the comfort and welfare of our troops, and at the same time proportionately diminish the attractions of the public-house. He believed it to be absolutely necessary that every soldier should receive 1*lb.* of good cooked meat daily, supplemented by well-cooked vegetables, for which he now had to pay. While thanking the Committee for the attention they had paid to his observations, he trusted that nothing he had said was inconsistent with the character of a soldier, and that he had in no way disregarded any of the restraints which were very rightly and necessarily imposed by his profession upon its members.

MR. CAMPBELL - BANNERMAN said, he had had occasion more than once during the debate to regret the absence of those who were his Colleagues in the War Department of the late Government, and was sorry that the duty of representing Lord Cardwell's policy had not fallen into more effective hands. He especially regretted the absence of the late Secretary for War when the hon. and gallant Member for West Sussex (Colonel Barttelot) was addressing to the House his fervid denunciations of that policy. His hon. and gallant Friend had that evening again accused

his noble Friend of trampling on the prejudices of the Army, of doing away with all *esprit de corps*, and of ruining the system under which the British Army had gained its successes in past years. Now, it was not for him (Mr. Campbell-Bannerman) to sing the praises of Lord Cardwell; but if there were two points for which he was more distinguished than any other they were an impartial and judicial mind, and a laborious attention to the details of every subject with which he had to deal, and we may, therefore, be sure that he had fully considered the value of those prejudices before adopting the policy which he had followed. There was no doubt that there were many officers in the Army who disapproved of the course taken by his noble Friend, but it was equally certain that there were many distinguished officers who thought that what his noble Friend had done had contributed immensely to the increased efficiency of our Forces. His hon. Friend the Member for Carlisle (Sir Wilfrid Lawson), in moving that the number of men be reduced, alluded to what he called the great military establishments now existing in this country, and the warlike policy pursued by the late as well as the present Government. But surely his hon. Friend must call to his mind the vast armies existing on the Continent of Europe; and considering that, besides India, England had possessions in every quarter of the globe, he did not think the Committee would consent to make any reduction at the present moment. It would certainly be impossible to remove 10,000 men from the Infantry—and he supposed his hon. Friend did not suggest they should be taken from any other branch of the service—without serious detriment to the Army. The process of enlisting for brigades instead of battalions had only just been commenced. When that plan had been in operation for some years, and they had a more elastic force, there would be an opportunity for reduction, if the country desired it; but at present such a course, if adopted would prove fatal to the experiment that was being tried. His hon. Friend the Member for Hackney (Mr. J. Holms) had denounced the Militia, and would abolish that branch of the service as unworthy of their confidence; but he thought his hon. Friend must have badly

read the feeling of the House of Commons if he thought that any War Minister could come down to Parliament and propose the abolition of the Militia. His hon. Friend had expressed the opinion that the Ashantee Expedition might have been more easily accomplished if the system of Army Corps had been in existence; but what his hon. Friend had suggested as proper for such an expedition was precisely what had been done under the present organization. The right hon. Gentleman the Secretary of State for War, in his very clear statement, had rather taken his noble Friend the late Secretary for War (Lord Cardwell) to task for not building a better War Office. There was no doubt that such a building was necessary for the public service, for of all the public departments requiring to be better accommodated, the War Office and the Admiralty were the first that should have received attention; but when, last year, the late Government brought in a Bill to sanction the erection of a new War Office and Admiralty on a suitable site in Spring Gardens, it was received with so little favour that it was withdrawn almost as soon as introduced, the general feeling of the House appearing to be that the Home and Colonial Offices should be finished before the new War Office was taken in hand. The right hon. Gentleman having also referred to the item of £8,000 for building a barrack at Sandhurst, which he had struck out from the Vote, he (Mr. Campbell-Bannerman) wished to say that that item had been inserted most reluctantly by the late Government. It was said to be unwise to send young officers to join their regiments for a year, and then to send them to Sandhurst. ["Hear, hear!"] That was, however, the Prussian system, and it was found advantageous to send young men to their regiments to learn the elements of drill, in order that when they went to Sandhurst the time of their highly accomplished instructors should not be taken up in teaching those rudimentary branches. There was, no doubt, a strong feeling against it, but he believed that the unpleasant occurrences at Sandhurst which had attracted attention were the work of a very few young men, who considered that they had a special grievance. It was said they were too old to go to school; but they were not so old as many young

men who went to the University, and who there submitted to discipline quite as strict. The late Government, however, agreed to give way on this point, but they were told by the Educational authorities at the War Office that it was absolutely necessary to have troops at Sandhurst all the year round, not that the young men should see them manoeuvre, but in order that they might engage in daily drill with them. The present Secretary for War had induced those authorities to agree that it was sufficient to have troops six months under canvas at Sandhurst, instead of all the year round, and he congratulated him on his powers of persuasion. He trusted that the right hon. Gentleman would adopt the arrangements contemplated by the late Government in regard to the new Paymasters Department. The paymasterships of regiments had, indeed, been regarded as a means of satisfying the claims of ex-combatant officers; but he believed the right hon. Gentleman would find that they were not the class of the community from which the best trained accountants could be drawn. With regard to the Auxiliary Forces, it was true that recruiting for the Militia had not been very flourishing during the year; but that could be accounted for by the fact that the labour market was in an excited state, and an open winter like the last, which allowed agricultural operations to go on without a check, always interfered with Militia recruiting. There had also, unfortunately, been a misapprehension about the bounty. The right hon. Gentleman said it was hard to change the term of service, and to spread the bounty over six years that was intended for five. The Militia recruit, however, got the benefit of the new ration arrangement, which was greater than the trifling loss under the bounty. [Colonel GILPIN dissented.] He could assure the hon. and gallant Gentleman that it was so, for he had gone carefully into the figures, and the balance, though small, was in favour of the recruit; while as to the existing Militiamen, they did not bear the loss of bounty, and yet they would reap the gain of rations, and they, at least, had nothing to complain of. With regard to the Army Reserve, difficulty existed, not as to finding the men, but as to their discipline when called out, and the late Judge Advocate General had drafted clauses on the sub-

*Mr. Campbell-Bannerman*

ject to be introduced into the Army Discipline Bill, of which he was to have given Notice at the beginning of this Session. With reference to the statement as to recruiting brought forward by the hon. and gallant Member for South Ayrshire (Colonel Alexander), he must remind the Committee that the recruiting for the Guards was managed by the Guards themselves, who were, both as to recruiting and as to their hospital system, on a peculiar footing. Whilst he was at the War Office he had made ineffectual efforts to get to the bottom of this subject; and he trusted that his hon. Successor, who he knew had sympathy with the Guards, and at the same time would have due regard to the interest of the public, would take up the question and see if it was not possible to do away with the anomalous system which at present existed. It had been said that the great object of the present Government would be not to have a paper Army. No one had kept this object in view more steadily than his noble Friend Lord Cardwell, whose Localization Bill was the greatest measure in this direction which had been passed for many years. That noble Lord had to stand the brunt of attacks for reducing the number of the Militia and Volunteers, because he took a course which got rid of paper men and men of straw, and at the same time greatly increased the quality of the remainder. He trusted the hon. Baronet would not divide, but would accept the proposal of the right hon. Gentleman, and be content with having raised a discussion on the subject.

MR. BUTLER-JOHNSTONE said, he presumed this Amendment was made in solemn earnest, for nothing but what was very sober ever proceeded from the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson); but he must confess that his doubts had not been resolved by the speech with which the hon. Baronet had introduced his Amendment. The hon. Baronet said he could not understand the reason for the extraordinary armaments of this country; and he (Mr. Butler-Johnstone) in that must agree with him, for when he looked at the armaments abroad, he must confess the armaments of this country were extraordinary—from the smallness of their extent, and not from the largeness of their

scale. The hon. Baronet said he had the authority of the right hon. Gentleman the Prime Minister, that night, for saying that a small Army was as efficient as a great one. But the right hon. Gentleman said nothing of the kind. What he said was that deeds of heroism might be performed by a small Army as well as by a great Army; that heroism was not to be measured by the scale of an Army, but no one could for a moment imagine that what was really meant was that the same deeds could be performed by a small Army as by a great one. Then the hon. Baronet said, instead of raising gigantic Armies, we should husband our resources and be prepared to meet our foes; but to talk of a great country like England, with Colonies all over the world, and wealth accumulated such as had never been accumulated before, husbanding her resources with a view to her protection when the emergency arose, would be as sensible as for a banker to put out the money to interest which he should spend in bolts and bars to secure his coffers. What were the armaments abroad? In France the Army Bill gave a Reserve, not of 30,000 or 40,000 men, but in a few years something like 2,000,000 of soldiers. Prussia was also providing for an increase of its military strength, while Austria and Russia were following the example. The hon. Baronet asked, what nation was likely to attack England? Apparently none; but if war broke out on the Continent, was it impossible for us to be involved in the vortex? Even in the last war, it was not without difficulty and some loss of dignity on our part that we had managed to maintain our neutrality. Our present relations with Russia were of a most friendly character, but we could not help remembering as matter of fact that the progress of Russia in Central Asia had already reached a limit beyond which a single step in advance would bring her in collision with tribes bordering on countries it was essential for us to protect from conquest or aggression, and no English Minister would dare neglect that duty; and whether that step forward was ever taken depended not on us but on Russia. The hon. Baronet, moreover, in the face of universal conscription in Europe, proposed a reduction of 10,000 men. Such a reduction in case of the French or Prussian Army would



be a small matter, but in the case of the Army of England it would be a reduction of something like one-fourth of the Force at home. Besides, the hon. Baronet's proposition was unaccompanied by any suggestion by which the void could be filled up. The people of this country were proud of their Army, small but brave, and instead of such an imprudent proposal, it was matter of great importance to endeavour to devise the means by which our military Force could be brought up to a level with the interests and responsibilities of this great country. He believed the country would be ready, if called on by the Ministry, to sacrifice some portion of the personal liberty of the subject, and it would not be impossible to introduce the Ballot for the Militia. With the Militia Ballot for one year's service, without exemption, he should not mind such a proposal as that of the hon. Baronet; but so long as the only force on which the honour and interests of the country depended for security was our gallant Army, he must vote against any such Motion; and he would join in the wish expressed by the hon. Gentleman who had last spoken, that it would not be pressed to a division.

GENERAL SIR GEORGE BALFOUR said, he was strongly in favour of reductions in the Army, and of economy in every Department; but he thought it unfair to push the new Government to extremities, especially when it was considered that these Estimates had been prepared by their predecessors. The necessity for increased economy in the Army expenditure was shown by the fact that if there had not been a saving in stores the expenditure of the year would have shown an increase of £250,000. But there was this great objection to the reduction of 10,000 men, proposed by the hon. Baronet the Member for Carlisle, that on the existing organization of the Infantry of the Line, on which the reduction would mainly fall, it could not be carried out without rendering the regiments and battalions at home quite inefficient. The number of privates of Infantry being 94,000 in round numbers, and 50,000 being in India and the Colonies, and 7,000 in depôts, there were only 34,000, with 70 battalions, in the United Kingdom, distributed amongst 70 battalions of 560 companies, so that by reducing 10,000, there would remain

only 24,000 privates, giving 43 per company and 343 per battalion. But as the hour was late, and the House was anxious to proceed to other business, the hon. and gallant Member stated that he would close his remarks.

COLONEL GILPIN said, he did not rise to criticize the Estimates, which had been expounded by the right hon. Gentleman the Secretary of State for War with great ability and in the most lucid manner. With regard to the six years' recruiting for the Militia, instead of five, he might state that he had been appointed on the War Office Committee by the late Government who reported in favour of six years—it being thought, on mature consideration, a good thing for the Service, and not injurious to the Militia. In his own county he had no difficulty in getting the men for the six years, although there was some difficulty in getting them to re-enlist. With regard to the dépôt system, he was convinced that it would turn out the most expensive absurdity which the country had ever adopted. The hon. Gentleman the Member for Hackney (Mr. J. Holms), to whom he had often listened with attention, had broached a maxim with reference to the Militia which no Government could adopt, which the Duke of Wellington and Sir John Burgoyne set their countenances against, and which he (Colonel Gilpin) hoped the Committee would not approve of. The Militia, though they might not be perfect soldiers, were trained men, and much better than the young recruits of 18 enlisted for the Regular Army. With regard to the abolition of purchase in the Army, although the House had acted with much liberality, yet the money devoted to that purpose had been disposed of in a way which was not satisfactory to the Service. He himself had held that, as soon as the purchase system was abolished, the officers should have received the regulation price of their commissions. He should be glad to hear that they were likely soon to have placed on the Table the Report of the Royal Commission now sitting on that subject.

CAPTAIN NOLAN said, he thought that £13,000,000 per annum was an enormous sum to spend on the Army, with only about 160,000 men on the war footing, and that we might maintain that amount of force and yet relieve the finances of the country to the extent of

£2,000,000 or £3,000,000. He wished to point out that what was wanted was not to increase our peace footing, but to increase the Reserves, a plan carried out by foreign nations, and which should be adopted in this. If every soldier, after three years' service, had the option of passing into the first Reserve, they might have a very large Reserve. He, however, considered it most undesirable, looking at the immense armies of Russia, Germany, Austria, and France, to reduce our small Army, and he could not vote for the Amendment.

MR. HALSEY, as a commanding officer of Yeomanry of long standing, thought that force should be armed with the best available weapon as well as the other branches of the service; whereas the fact was, they were still armed with a rifle which did not contain the ignition in its own cartridge. He also hoped that the right hon. Gentleman the Secretary of State for War would take measures for the establishment of a school for the instruction of Yeomanry officers in order to make them thoroughly efficient.

Question put.

The Committee *divided*: — Ayes 45; Noes 256: Majority 211.

Original Question put, and *agreed to*.

(2.) £2,434,500, Pay and Allowances, &c. of Land Forces.

#### NAVY ESTIMATES.

(3.) 60,000 Men and Boys, Sea and Coast Guard Services, including 14,000 Royal Marines.

MR. HUNT, in moving a Vote for 60,000 Men and Boys, said, as before intimated, that he proposed to lay the Navy Estimates before the Committee on the 20th of April. As, however, it was necessary in the meantime to take steps for the renewal of the Mutiny Act, he desired the Committee to show him some indulgence by passing at the present sitting, and without debate, the Vote for the number of men required. The number mentioned in the Vote was 60,000 men and boys, including 14,000 Royal Marines; and that was just what his right hon. Friend opposite (Mr. Goschen) would have proposed had he remained in office.

MR. GOSCHEN said, he understood that the proposal of the right hon. Gentleman would not preclude hon. Members

from discussing Vote 1 on a future occasion; and, under the circumstances that had been referred to, he thought the Committee would not object to the course suggested.

*Vote agreed to.*

*House resumed.*

Resolutions to be reported *To-morrow*: Committee to sit again upon *Monday* 13th April.

#### ARCHBISHOPS AND BISHOPS (APPOINTMENT AND CONSECRATION) BILL.

LEAVE. FIRST READING.

MR. MONK moved for leave to bring in a Bill to provide for the Appointment and Consecration of Archbishops and Bishops in England and Wales.

MR. ASSHETON CROSS said, he did not rise to object to the introduction of the Bill; but as it touched a question of very great importance, which, if handled at all, must be handled with great delicacy, he hoped the hon. Gentleman the Member for Gloucester (Mr. Monk) would not press the second reading for a considerable time, in order that it might be thoroughly discussed in the country before the House was asked to give an opinion on it.

*Motion agreed to.*

Bill to provide for the Appointment and Consecration of Archbishops and Bishops in England and Wales, *ordered* to be brought in by Mr. MONK and Mr. DICKINSON.

*Bill presented*, and read the first time. [Bill 56.]

#### CONVEYANCING AND LAND TRANSFER (SCOTLAND) BILL.

LEAVE. FIRST READING.

THE LORD ADVOCATE, in moving for leave to bring in a Bill to amend the Law relating to Land Rights and Conveyancing, and to facilitate the Transfer of Land in Scotland, said, that Bills on this subject had been brought forward in 1871, 1872, and 1873, and he hoped this year they would be able to pass a measure which would give satisfaction to Scotland. He would move the second reading of the Bill on an early day.

*Motion agreed to.*

On Motion of The LORD ADVOCATE, Bill to amend the Law relating to Land Rights and Conveyancing, and to facilitate the Transfer of Land, in Scotland, *ordered* to be brought in by The LORD ADVOCATE, Mr. Secretary CROSS, and Mr. CAMERON.

*Bill presented*, and read the first time. [Bill 60.]

## BUILDING SOCIETIES BILL.

On Motion of Mr. TORRENS, Bill to consolidate and amend the Laws relating to Building Societies, *ordered* to be brought in by Mr. TORRENS, Mr. WALPOLE, Mr. GOURLEY, Mr. GOLDNEY, Mr. DODDS, and Sir CHARLES RUSSELL.

Bill *presented*, and read the first time. [Bill 55.]

## PRISON MINISTERS ACT (1863) AMENDMENT BILL.

On Motion of Mr. MELDON, Bill to amend "The Prison Ministers Act, 1863," *ordered* to be brought in by Mr. MELDON, Lord FRANCIS CONYNNGHAM, Mr. BRADY, Mr. DIGBY, Mr. MARTIN, and Mr. OWEN LEWIS.

Bill *presented*, and read the first time. [Bill 58.]

## POOR RELIEF (IRELAND) BILL.

On Motion of Mr. O'SHAUGHNESSY, Bill to assimilate the Law for the Relief of the Poor in Ireland to that of England by substituting union rating for the present system of rating by electoral divisions, *ordered* to be brought in by Mr. O'SHAUGHNESSY, Mr. BUTT, Mr. DOWNING, Mr. REDMOND, and Mr. BROWNE.

Bill *presented*, and read the first time. [Bill 57.]

## FINES, FEES, AND PENALTIES BILL.

On Motion of Mr. Serjeant SIMON, Bill to amend the Law relating to the disposition of Fines, Fees, and Penalties in certain corporate Boroughs and other places, *ordered* to be brought in by Mr. Serjeant SIMON, Mr. MELLY, Mr. CHARLEY, Mr. RATHBONE, Mr. MELLOR, and Mr. GOURLEY.

Bill *presented*, and read the first time. [Bill 59.]

## LANDLORD AND TENANT (IRELAND) ACT (1870) AMENDMENT (NO. 2) BILL.

On Motion of Sir JOHN GRAY, Bill to amend "The Landlord and Tenant (Ireland) Act (1870)," with a view to facilitate the acquisition of property in land, in fee and in fee farm, by tenants in Ireland, *ordered* to be brought in by Sir JOHN GRAY, Mr. PATRICK MARTIN, Mr. MELDON, and Mr. O'SULLIVAN.

Bill *presented*, and read the first time. [Bill 61.]

## LOCAL GOVERNMENT PROVISIONAL ORDERS BILL.

On Motion of Mr. CLARE READ, Bill to confirm certain Provisional Orders of the Local Government Board relating to the districts of Aberystwith, Carnarvon, Hurst, Nottingham, Penzance, and Tetbury, *ordered* to be brought in by Mr. CLARE READ and Mr. SCLATER-BOOTH.

Bill *presented*, and read the first time. [Bill 62.]

House adjourned at a quarter before  
Twelve o'clock.

## HOUSE OF COMMONS,

Tuesday, 31st March, 1874.

MINUTES.]—SUPPLY—considered in Committee—Resolutions [March 30] reported.

RESOLUTION IN COMMITTEE—Harbour of Colombo (Loan).

PUBLIC BILL—Resolution in Committee—Ordered—Isle of Man Harbour Dues\*.

Ordered—First Reading—Labourers Cottages (Scotland)\* [63]; Metropolis Water Supply and Fire Prevention\* [64]; Mutiny\*; Marine Mutiny\*.

Second Reading—Local Government Provisional Orders\* [62].

Committee—Report—Public Works Loan Commissioners (Loans to School Boards)\* [46]; Cattle Disease (Ireland)\* [52].

Third Reading—Middlesex Sessions\* [29], and passed.

## PRIVILEGE—COMMITTAL OF A MEMBER BY THE COURT OF QUEEN'S BENCH FOR CONTEMPT.

## REPORT OF THE SELECT COMMITTEE.

Power to the Select Committee on Privilege to report Observations, with Minutes of Evidence.

Report *brought up*, and read, as follows:—

"The Select Committee on Privilege, to whom was referred the Letter of the Lord Chief Justice of England to Mr. Speaker, informing the House of the Commitment of Mr. Whalley, a Member of this House, for Contempt of Court, 'for the purpose of considering and reporting whether any of the matters referred to therein demand the further attention of the House,' have considered the matters to them referred, and have agreed to the following Report:—

"1. Your Committee have had before them two Orders made by the Court of Queen's Bench in *The Queen versus Castro*, with the affidavits and exhibits upon which such Orders were founded, the first dated the 21st of January 1874, and the second dated the 23rd of January in the same year.

"2. By the first of these Orders, Mr. George Hammond Whalley, then and now one of the Members for Peterborough, was ordered to attend the Court of Queen's Bench to answer for his Contempt in writing a certain Letter and Statement, which was printed and published in the newspaper called "The Daily News" of the 21st of January 1874.

"3. By the second of these Orders Mr. George Hammond Whalley was adjudged to be guilty of Contempt in having written such Letter and Statement, and it was thereupon ordered that he should for such Contempt pay a fine to the Queen of £250, and be imprisoned in Her Majesty's gaol at Holloway until such fine be paid. These Orders, and the affidavits and exhibits upon which they were founded, are printed in the Appendix.



"4. Your Committee, having had such Orders and affidavits proved before them, proceeded to afford to Mr. George Hammond Whalley an opportunity of making such observations on the matters referred to them as he might desire to offer.

"5. Mr. George Hammond Whalley has put in a written Statement, parts of which appear to your Committee to be irrelevant to the specific object of the present inquiry; but your Committee consider that it would not be expedient to omit any portion of what he deemed essential to lay before them.

"6. Under all the circumstances of the case, your Committee are of opinion that the matters referred to them do not demand the further attention of the House.

"7. And your Committee also desire to express their opinion that the Lord Chief Justice fulfilled his duty in informing the House of the fact that a Member of the House of Commons had been imprisoned by the Court of Queen's Bench."

Report, with Minutes of Evidence, to lie upon the Table, and to be *printed*. [No. 77.]

#### IRELAND—DUNMORE HARBOUR.

##### QUESTION.

MR. KAVANAGH asked the Chief Secretary for Ireland, Whether he can give the House any information as to the condition and progress of the works for repairing a breach in the sea pavement of the pier of Dunmore Harbour, County Waterford, for which a sum of public money was granted about seven years ago; and, whether, if such does not appear to be satisfactory, he will take steps to have the necessary repairs carried out to ensure the preservation of a structure which was of incalculable value not only to the inhabitants of the district, but to a large number of fishermen who resort there in the season?

SIR MICHAEL HICKS-BEACH: The repair of piers in no way concerns the Irish Government—it belongs to the Board of Works, which is a Department under the control of the Treasury. The Question, therefore, should be addressed to and answered by the Secretary to the Treasury. In the Session of 1868-9 a sum of £964 was voted for the repair of considerable damage which had been done to the works of Dunmore Harbour by the unusually severe storms of the preceding winters. That sum was found insufficient for the complete repair of the injury done to the sea pavement, and further sums have since been voted to make good the damage done by storms during the progress of the works of re-

pair. The works of the harbour are now in a satisfactory state, and the cost of making good the slight damage which the storms of the past winter have done has been provided for in the Estimates for the coming year, and the remaining repairs will be completed this summer. In 1872, a sum of £1,500 was voted for dredging out the harbour, which had silted up so as to leave a depth of only 5 feet to 7 feet of water at low water spring tides. This work has been carefully carried out and will be complete in two or three months, and there is now a depth of from 14 feet to 15 feet in the greater part of the harbour, and so far, therefore, the work is perfectly satisfactory.

#### SCIENCE AND ART—SOUTH KENSINGTON MUSEUM.—QUESTION.

MAJOR BEAUMONT asked Mr. Chancellor of the Exchequer, When it is likely that steps will be taken to complete the buildings of the South Kensington Museum?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he understood the matter had been disposed of to a certain extent by his predecessor; but it was likely to be brought under his consideration, although it had not yet been submitted to him. When it was it should receive his best attention.

#### POST OFFICE—SAVINGS BANK DEPARTMENT.—QUESTION.

MR. COOPE asked the Postmaster-General, Whether any, and, if so what, steps are being taken to provide suitable premises for the Savings Bank Department of the Post Office, in lieu of the present unsafe and overcrowded offices?

LORD JOHN MANNERS, in reply, said, that although the present premises might justly be described as overcrowded, inconvenient, and insalubrious, they were not unsafe. Steps were, he might add, being taken to secure additional premises in the neighbourhood, which he hoped would be sufficient for temporary occupation; he believed, however, it would ultimately be necessary to obtain a new building altogether for the accommodation of the Department.

WAYS AND MEANS—FARMERS' CARTS,  
SHEPHERDS' DOGS (SCOTLAND).

QUESTION.

VISCOUNT MACDUFF asked Mr. Chancellor of the Exchequer, If it is his intention to remit the tax on farmers' carts and shepherds' dogs in Scotland?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, the subject was one to which his attention had been directed, but he hoped the noble Lord would forgive him if he declined to anticipate the Financial Statement by giving a more explicit answer to his Question.

INDIA—BENGAL FAMINE.—QUESTION.

MR. O'DONNELL asked the Under Secretary of State for India, Whether the Government will be prepared to meet the emergency of intense and wide-spread famine declaring itself in those Bengal districts, such as Hooghly and Burdwan, hitherto classed as seats of merely partial distress, and numbering a population of upwards of fourteen millions?

LORD GEORGE HAMILTON, in reply, said, the preparations on the part of the Indian Government to meet the scarcity in Bengal were not based merely on the wants of exceptional districts, but on the total number of the population in Bengal likely to stand in need of relief. The districts mentioned in the Question were consequently included within the scope of the measures taken.

ARMY—KILMAINHAM HOSPITAL.

QUESTION.

MR. OWEN LEWIS asked the Chief Secretary for Ireland, If it is true that the Catholic inmates of the Royal Military Hospital at Kilmainham, Dublin, are obliged to leave the Hospital in all weathers and at all seasons to attend Divine Service though many of them are advanced in life and infirm, while their Protestant comrades, though little more than one-fifth of the whole number of pensioners have a chapel and resident chaplain of their own religion in the Hospital?

SIR MICHAEL HICKS-BEACH, in reply, said, the Question related to an institution which was under the control of the War Department and not of the Irish Government. If the Question were

repeated after Easter, he had no doubt his right hon. Friend the Secretary of State for War would be prepared to answer it.

SINGAPORE EMIGRATION ACT.

QUESTION.

MR. PALMER asked the Under Secretary of State for the Colonies, Whether he will lay upon the Table of the House, a Copy of the Correspondence between the Governor of Singapore and others, with the Colonial Office, relative to the Singapore Emigration Act; and, whether it is the intention of Her Majesty's Government to repeal or amend that Act?

MR. J. LOWTHER in reply, said, the whole question with respect to emigration to the Straits Settlements had for some time been occupying the attention of the Colonial Office. As to the ordinance relative to the emigration of Chinese labourers, some amendment of it was evidently required. The Correspondence on the subject was not yet complete, and until it assumed a complete shape, he could not say whether it could be produced, nor what were the intentions of Her Majesty's Government in the matter.

NAVY—TRIAL OF ANCHORS.

QUESTION.

MR. G. BENTINCK asked the First Lord of the Admiralty, Whether, looking to the serious disasters which have happened to some of Her Majesty's ships from default of Navy ground-tackle, and to the manifest importance of providing the best and most trustworthy anchor for use in the Royal Navy, he will state what practical objection exists, if any, to carrying out the proposal indicated in Mr. Trotman's letter of 13th January 1873, seeing that a trial of three other competing anchors, viz. the "Admiralty," "Rodgers'," and the "Improved Martin's" anchors, is shortly to take place on board Her Majesty's ship "Devastation," now at Spithead?

MR. HUNT: The trial by the *Devastation* is at present to be confined to Martin's anchor, for the reason that the construction of that anchor gives greater facilities for firing from turrets and for ramming than any other anchor. Should there be a trial of any other anchor than Martin's by the *Devastation* Trotman's shall be included.

CIVIL SERVICE ESTIMATES—PUBLIC  
OFFICES FURNITURE—QUESTION.

MR. MELLOR asked the Secretary to the Treasury, Why the detailed statement showing the cost of Furniture and the repair of Furniture provided for each public office is not given in the Estimates of Expenditure for the year ending March next year; and, if he will consent to supply the information by the issue of a separate Return?

MR. W. H. SMITH, in reply, said, that the detailed statement in question had been omitted from the Estimates by direction of his predecessor. Any information, however, which the hon. Gentleman wished to obtain on the subject he might procure at the Office of Works.

SPAIN—BRITISH SUBJECTS IN BILBAO.  
QUESTION.

MR. M'LAGAN asked the Under Secretary of State for Foreign Affairs, Whether the Government is in possession of any information respecting the number and position of British subjects in Bilbao; whether Her Majesty's Consul is shut in; and, whether any steps have been taken to communicate with him, and to insure due respect to the British Flag from the Commanders of both the combatants?

MR. BOURKE: The only information which is to be found at the Foreign Office with regard to the British population at Bilbao is contained in Consular Reports, which I have had an opportunity of looking at since the previous night. From them I learn that the British population at Bilbao in ordinary times is supposed to be between two and three hundred. We know, however, that since the war broke out, a great number of British subjects have left that place; consequently, the number there at present is not known. Her Majesty's Consul at Bilbao has lately informed Mr. Layard, our Minister at Madrid, that on the 10th February he had taken all the precautions he possibly could to provide for the protection of British subjects at Bilbao; that he informed both the General commanding the Carlists and the General commanding the Republicans that he had provided a house near his own, with a large enclosure, where British subjects might take refuge, in case the city was besieged; and that both

those Generals assured him that those places being under the British flag would be respected. The last accounts which the Government have received from Bilbao arrived two or three days ago. They are to the effect that the Consul is still at Bilbao, and that Her Majesty's ship *Ariel* has arrived off the coast, and has endeavoured to communicate with the Consul, but without effect. The conduct of the Consul has been approved by Her Majesty's Government; but they have learnt from Madrid, that the expression of that approval has not reached him, nor does it appear likely to do so under present circumstances.

THE ASHANTEE WAR.—QUESTION.

MR. EDWARD JENKINS asked the First Lord of the Admiralty, Whether any and what number of vessels loaded with arms and ammunition for the Ashantees were detained in British ports or captured off the Gold Coast by the British squadron?

MR. HUNT: The Admiralty is not aware of any vessels so laden having been detained in British ports, and no vessels were captured off the Gold Coast. Four vessels—two British and two foreign—were for a short time detained for irregular proceedings in connection with the blockade.

LEGISLATION.—THE LICENSING BILL.  
QUESTION.

In reply to Sir WILFRID LAWSON, MR. ASSHETON CROSS said, he hoped to be able to bring on the Licensing Bill soon after Easter, in order that it might be discussed before Whitsuntide.

DR. LIVINGSTONE.

MR. DISRAELI moved, "That this House, at its rising, do adjourn till Monday, the 13th April."

MR. RUSSELL GURNEY: Sir, I very much regret that I have not had an opportunity of communicating until a few minutes ago, either to the Government, or to the House, my intention of calling their attention to one subject to which I think it is important their attention should be directed at this time. My only excuse for bringing it forward now is that if anything at all is to be done in the matter to which I

refer, it must be done before the date to which it is proposed the House should adjourn. The matter to which I allude is the expected arrival of the body of that great discoverer, Dr. Livingstone, in this country. A very general desire was expressed, when the news arrived of his unfortunate death, that his body should be buried in Westminster Abbey. The authorities of the Abbey expressed their willingness to afford every facility in their power for that purpose. I have, however, just now learned that there are no means whatever of carrying what is the general wish of the country into effect. The family of Dr. Livingstone, of course, have no means whatever by which they could do it; and application has been made to the Royal Geographical Society, where it was supposed some means might be obtained, but they have stated they have no funds whatever which they can apply to that purpose. I cannot help thinking that it will be a great disappointment to very many, not only in this country, but in other countries, if, when the body arrives, nothing whatever is done with a view to carry the general wishes of the public into effect. It would surely be a discredit to us if, after all the honour and glory which our nation has derived from the wonderful works performed by Dr. Livingstone, there should be anything like neglect or disrespect shown at the time the body arrives in this country. The expense will not be large; still I think that expense ought to be furnished from some public source, and I know not to whom to refer, except to the Government. I am quite sure that any expense which might be incurred would be hailed as a very welcome act by large bodies in this country.

MR. DISRAELI: Mr. Speaker, there is a certain inconvenience in questions of this nature being brought before the House without Notice, and I am sure my right hon. and learned Friend will not blame me if I do not give a very definite answer to his proposal. There can be but one feeling in the House of Commons with respect to the claims of Dr. Livingstone on this country, and the reverence due to his memory. At the same time, the House will perceive at once that matters of this kind require investigation and consideration. The body of this illustrious man is being brought to the country at the public expense.

*Mr. Russell Gurney*

What are the circumstances immediately connected with the voyage? and, why the Government undertook the office?—these are questions which probably might be satisfactorily answered if Notice had been given of the question and inquiry made. At present, all I can say is, that what Government has done proves that on the part of the Government there is no deficiency of respect for the name or *manes* of Dr. Livingstone; and therefore I will ask my right hon. and learned Friend and the House to allow the Government to take note of the conversation of this evening, and give it their best consideration.

*Motion agreed to.*

#### IRELAND—DERRY CELEBRATIONS— COSTS OF COLONEL HILLIER.

##### MOTION FOR A RETURN.

MR. BUTT moved for a—

“Return of all sums paid out of public moneys on account of damages or costs recovered, since the 1st day of January, in any action against Colonel Hillier, the Deputy Inspector General of the Royal Irish Constabulary, or against any other Officer of the Royal Irish Constabulary: specifying in each case the name of the Plaintiff and Defendant, the amount paid for damages and costs, and the fund out of which the amount was paid.”

The hon. and learned Member said, there was reason to believe that a practice was growing up of paying, out of the public funds, damages or costs that were recovered in actions against officers of the Irish Constabulary. It had come within his own knowledge that this had been done in the case of Colonel Hillier. A matter of this kind ought not to be allowed to pass without being brought to the notice of the House.

Motion made, and Question proposed,

“That there be laid before this House, a Return of all sums paid out of public moneys on account of damages or costs recovered, since the 1st day of January 1870, in any action against Colonel Hillier, the Deputy Inspector General of the Royal Irish Constabulary: specifying in each case the name of the Plaintiff and Defendant, the amount paid for damages and costs, and the fund out of which the amount was paid.”—(*Mr. Butt.*)

SIR MICHAEL HICKS - BEACH: The hon. and learned Member moved for this Return last Session. My noble predecessor (The Marquess of Hartington) opposed the Motion, and it was negatived without a division. Whatever reason



existed then for refusing this Return, exists now with double force. My noble Friend came down to the House last night, at considerable inconvenience to himself, to oppose this Motion, which was then on the Paper, but the hon. and learned Member was not then in his place to propose it. He now proposes it in the absence of my noble Friend. The hon. and learned Member asks for a Return of all sums paid out of public moneys on account of damages or costs recovered in any action against officers of the Royal Irish Constabulary. It would be injurious to the public service and to the peace of the country to grant such a Return. The matter to which the Motion refers happened so long as three years ago. It created no little ill feeling and excitement in the north of Ireland. That feeling is now quieting down, and I think it would be not only inconvenient, but wrong, to do anything which would excite it again. Moreover, this matter is not only entirely over, but, if anything wrong was done in it, it was done by a Government which no longer exists. The hon. and learned Member placed before the House last Session the circumstances which he has detailed to-night, and the House then, without a division, negatived the Return. The hon. and learned Member seeks to ascertain out of what fund these sums were paid. I have not myself investigated the Estimates to see out of what fund they have been paid. If the hon. and learned Member's contention is right, they were paid out of moneys into the application of which the House intends there should be no inquiry. It would therefore be contrary to the intention of the House to give this Return, and materials could not be found from which it could be given. I may say, with reference to this whole question, that it is absolutely necessary, in my opinion, that the subordinates or other officials of the Government should be protected and countenanced by the Government in the execution of their duties. The practice of the English Government is, I believe, not quite identical, but very similar, to that of the Irish Government. The practice of the Irish Government, at any rate, is this:—When an action is brought against a resident magistrate, or a member of the Constabulary Force, the person accused has to defend himself at his own risk

and cost. At the conclusion, he is at liberty to apply to the Government for compensation for any damages which may have been awarded against him. The Government then take the whole matter into their consideration, with the advice of their Law Officers, and, if it appears to them that the officer has acted *bond fide* in the execution of his duty, they would compensate him for the loss incurred by him. I maintain that this is not only right, but that it is absolutely essential to the public service that officers should feel that they will be protected by the Government in the proper execution of their duties. I have no hesitation in stating my opinion that, by sanctioning the repayment to any officer of the damages awarded against him, the Government makes itself responsible for his conduct, and that that responsibility should be borne by the Government before Parliament. It is my intention that, as a rule, such re-payments should appear in the Estimates of the year in future. As this Motion relates to a subject which is over, which happened under a Government which no longer exists, I trust the hon. and learned Member will not put the House to the trouble of a division.

MR. BUTT said, he would not trouble the House to divide, solely because he believed it would be useless. He still thought this was a matter in which the right hon. Baronet should not refuse a Return. On the Motion which he made last year he asked for the items and the Estimates in which the sums would appear. The reply of the noble Marquess (the Marquess of Hartington) was that they did not appear in the Estimates, and therefore the Motion was useless. It was consequently negatived; but he (Mr. Butt) gave Notice that he would renew it this Session. He thought the right hon. Baronet was mistaken in supposing that there was any such practice in England as he had described. He remembered that in the case of Governor Eyre a division was taken. To teach officers that the Government would keep them harmless in case of actions for damages against them was unconstitutional. To do so was to teach officers to look to the Government, and not to the law, for the guidance of their conduct. It might be said that such expenses were paid out of secret service money; but

he believed they were inserted surreptitiously in the law costs of the Crown Solicitor by the directions of some Government official. [Sir MICHAEL HICKS-BEACH: That is not so.] He was not satisfied with the reply, and should again bring the matter under the attention of the House.

Question put, and *negatived*.

#### ELEMENTARY EDUCATION (EMOLUMENTS OF TEACHERS.)

##### MOTION FOR AN ADDRESS.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Return of the average income received in the year 1873 from all professional sources by the Male Certificated Teachers in the Schools aided by annual Grants in England and Wales; also the total number of Male Certificated Teachers, and the number of these provided with official residences rent-free in England and Wales:

"Similar Return of Female Teachers:

"Similar Returns for Scotland:

"Similar Return of the average total income at present derived from their Schools by the Male Teachers of Ireland; also the total number of such Teachers, and the number of these provided with official residences rent-free in Ireland:

"And, Similar Return for Female Teachers."  
—(Captain Nolan.)

Amendment proposed,

To add, at the end thereof, the words "the Returns to show how far these Emoluments are derived from National Funds, from Local Rates, from School Pence, and from Local Voluntary Contributions."—(Mr. M'Laren.)

Question proposed, "That those words be there added."

VISCOUNT SANDON regretted that no Notice whatever had been given to him of the hon. and gallant Member's intention to move for this important Return, and he trusted the hon. and gallant Gentleman would not press his Motion under these circumstances. He should be happy to institute inquiries into the subject; and, if there were no objection to the Return, it should be produced.

MR. GLADSTONE said, it appeared to him that the House was indebted to his hon. Friend the Member for Edinburgh (Mr. M'Laren) for converting what would be a fallacious Return into a complete one which would enable hon. Members to understand the matter. He thought the proper course would be to adjourn the debate, so that the noble

*Mr. Butt*

Lord (Viscount Sandon) might in the meantime make inquiries.

MR. GATHORNE HARDY moved that the debate be adjourned till that day fortnight.

Motion *agreed to*.

Debate *adjourned* till Tuesday 14th April.

#### LABOURERS COTTAGES (SCOTLAND) BILL.

On Motion of Mr. FORDYCE, Bill to facilitate the erection of Labourers Cottages and Farm Buildings in Scotland, *ordered* to be brought in by Mr. FORDYCE, Mr. M'COMBIE, Mr. JAMES BARCLAY, Sir GEORGE BALFOUR, and Mr. KINNAIRD.

Bill *presented*, and read the first time. [Bill 63.]

#### METROPOLIS WATER SUPPLY AND FIRE PREVENTION BILL.

On Motion of Colonel BERESFORD, Bill for making more effectual provision for a constant supply of Water, and for the protection of life and property against Fire in the Metropolis, *ordered* to be brought in by Colonel BERESFORD, Sir CHARLES RUSSELL, Mr. FORSYTH, and Mr. RITCHIE.

Bill *presented*, and read the first time. [Bill 64.]

#### ISLE OF MAN HARBOUR DUES BILL.

*Considered* in Committee.

(In the Committee.)

*Resolved*, That the Chairman be directed to move the House, that leave be given to bring in a Bill to make provision for the taking of Harbour Dues in the Isle of Man.

Resolution *reported*: — Bill *ordered* to be brought in by Mr. RAIKES, Mr. WILLIAM HENRY SMITH, and Sir HENRY SELWIN-IBBETSON.

#### MUTINY BILL.

On Motion of Mr. RAIKES, Bill for punishing Mutiny and Desertion, and for the better payment of the Army and their quarters, *ordered* to be brought in by Mr. RAIKES, Mr. Secretary HARDY, and The JUDGE ADVOCATE.

Bill *presented*, and read the first time.

#### MARINE MUTINY BILL.

On Motion of Mr. RAIKES, Bill for the Regulation of Her Majesty's Royal Marine Forces while on shore, *ordered* to be brought in by Mr. RAIKES, Mr. HUNT, and Mr. ALGERNON EGERTON.

Bill *presented*, and read the first time.

House adjourned at half after  
Five o'clock till Monday,  
13th April.

## HOUSE OF COMMONS,

*Monday, 13th April, 1874.*

MINUTES.]—SUPPLY—considered in Committee—ARMY ESTIMATES.

PUBLIC BILLS—*Resolution* [March 31] reported—*Ordered*—Harbour of Colombo (Loan) \*.*First Reading*—Harbour Dues (Isle of Man) \* [65].*Second Reading*—Mutiny \*; Marine Mutiny \*; East India Annuity Funds [30]; Offences against the Person \* [13]; Infanticide \* [25].*Third Reading*—Public Works Loan Commissioners (Loans to School Boards) \* [46]; Cattle Disease (Ireland) \* [52], and passed.

## CONTROVERTED ELECTIONS—COUNTY OF RENFREW.

MR. SPEAKER informed the House, that he had received from Robert Macfarlane, Lord Ormidale, one of the Judges selected for the trial of Election Petitions, pursuant to the Parliamentary Elections Act, 1868, a Certificate relating to the Election for the County of Renfrew—to the effect that Colonel William Mure was duly elected and returned as Member to serve in Parliament for the county of Renfrew.

## DOMINION OF CANADA—THE LAW OFFICERS OF THE CROWN.

## QUESTION.

MR. EDWARD JENKINS asked the Under Secretary of State for the Colonies, Whether more than one opinion was obtained by the Colonial Office from the Law Officers of the Crown, or other legal advisers, respecting the Bill passed during the last Session of Parliament of the Dominion of Canada, for the purpose of empowering Committees of the Dominion House of Commons to examine witnesses under oath; if he will state whether there was any and, if any, what divergency between such opinions, and whether the advice given to Her Majesty with reference to that Bill is now considered to have been correct; and, whether there was any Correspondence between the Governor General of Canada and the Colonial Office on the subject, and if he will cause Copies of that Correspondence to be laid upon the Table?

MR. J. LOWTHER, in reply, said, that it was not in accordance with precedent to give any information respecting the Opinions of the Law Officers of the Crown, but that it was an error to suppose in the present case that there had been a divergence of opinion. Her Majesty's Government had every reason to believe that the Opinions given by the Law Officers were entirely correct.

## ARMY—KILMAINHAM HOSPITAL.

## QUESTION.

MR. OWEN LEWIS asked the Secretary of State for War, If it is true that the Catholic inmates of the Royal Military Hospital at Kilmainham, Dublin, are obliged to leave the Hospital in all weathers and at all seasons to attend Divine Service, though many of them are advanced in life and infirm, while their Protestant comrades, though little more than one-fifth of the whole number of pensioners, have a chapel and resident chaplain of their own religion in the Hospital?

MR. GATHORNE HARDY: If the hon. Member means by "obliged" that there is any compulsion put upon the Catholic inmates, he is entirely incorrect. The only obligation is a moral obligation which they may feel themselves. The Roman Catholic pensioners who are able to march, go to a chapel half-a-mile distant if the weather permit. The sick and infirm do not go, and the aged pensioners go how and when they please. Episcopalian pensioners, who number 29 per cent of the whole, have a chapel and chaplain on the premises. The chaplain of Kilmainham performs service in the chapel for the troops stationed in the neighbouring barracks without remuneration. The Roman Catholic chaplain receives £50 per annum for the inmates of the Hospital, and is chaplain to the troops in his parish, receiving the authorized allowance.

## SPAIN—THE CIVIL WAR—RECOGNITION OF BELLIGERENT RIGHTS.

## QUESTION.

MR. O'CLEARY asked the Under Secretary of State for Foreign Affairs, If the Correspondence received from Her Majesty's Representative in Spain and from other sources, relative to the increasing magnitude of the Carlist War, does not warrant Her Majesty's Government in recognizing the belligerent rights of the troops of Don Carlos, and what correspondence has passed upon the subject with other Powers?

MR. BOURKE: No question has as yet arisen requiring Her Majesty's Government to consider whether belligerent rights should be accorded to the followers of Don Carlos, and there has been no Correspondence on the subject with foreign Governments.



## UNSEAWORTHY VESSELS.—QUESTION.

In reply to Mr. GOURLEY,

SIR CHARLES ADDERLEY said: The Government have no present intention of introducing a Bill for consolidating the Merchant Shipping Acts. I hope they will never attempt, by any measure, to specify in detail what is meant by seaworthiness as to model, hull, &c., or to affirm that seaworthiness should depend on any prescribed model. The erroneous information given by the hon. Member for Derby (Mr. Plimsoll) in the case of the *Parga*, cost the country £1,239 11s. 7d. The Board of Trade have never stopped any ship named the *Western Chief*; but in the case of the *Western Ocean*, which was stopped, the sum of £600 was paid as compensation. These and all other cases are stated in the Appendix to the evidence given before the Royal Commission. There are the *Somerset*, £7 16s.; *Effort*, £40; *Lady Head*, £30; and *Fountain*, £50. The Board of Trade exercise a discretion as to the information upon which to take the proceedings which Parliament has imposed upon them by the Act of 1873, and will be cautious in acting upon information coming from quarters from which previous informations have failed of proof. Their principle is to prosecute the worse, and clearest cases as examples, and to interfere as little as possible with the legitimate course of trade.

## ASHANTEE WAR.

## THANKS OF THE HOUSE.

MR. SPEAKER acquainted the House, that he had received a Letter from Major General Sir Garnet J. Wolseley, dated the 2nd day of this instant April, acknowledging the Thanks of this House to himself and other Officers for the success attending the Expedition to Ashantee.

Letter read, as follows:—

“2, St. George's Place,

“Hyde Park Corner, S.W.,

“2nd April, 1874.

“Major General Sir Garnet J. Wolseley presents his Compliments to the Speaker of the House of Commons, and begs to thank him for his Letter of yesterday's date, conveying the Vote of Thanks of the House of Commons.

“Sir Garnet Wolseley is deeply sensible of the honor which has been conferred upon him, and has requested His Royal Highness the Field

Marshal Commanding in Chief, and the Lords of the Admiralty, to convey to the Officers named in the Speaker's Letter copies of the Vote of Thanks, and also to communicate the terms of that Vote to the Officers, Non-Commissioned Officers, Petty Officers, Soldiers, Sailors, and Marines who took part in the operations on the Gold Coast.”

## SUPPLY—ARMY ESTIMATES.

Order for Committee read.

Motion made, and Question proposed, “That Mr. Speaker do now leave the Chair.”

## THE INCOME TAX.

## POSTPONEMENT OF MOTION.

MR. CHARLES LEWIS, who had the following Motion on the Paper:—

“That in the opinion of this House, the continued imposition of the Income Tax, except in time of wars or some great national emergency, is unjust and impolitic, and it is advisable that such Tax should be gradually reduced and further altogether repealed at the earliest possible period,”

said, he would postpone it until a future occasion. When he gave the Notice his intention was that it should not come on for discussion till after the introduction of the Budget. By some inadvertence it was put upon the Paper for that evening; but he would not proceed with it at present, as he had no desire to forestall the Statement to be made on Thursday by the Chancellor of the Exchequer, or to throw any impediment in his way.

## THE ARMY RESERVES.

## OBSERVATIONS.

MAJOR BEAUMONT, in rising to move, “That in the opinion of this House, the Reserves for the defence of this Country should be formed of men who have passed through the ranks of the regular Army,” said, the Army Reform Bill which was brought in by Lord Cardwell in 1870, ought to be known—and, he thought, would in future be known—more as a Bill for the Abolition of Purchase than as a Bill for the Re-organization of the Army. Moreover, it was considered by hon. Members generally that it ought to have been the means of promoting economical administration in the Army; and some regret was expressed that more prominence had not been given to the question of Army Reform. While saying this, however, he did not mean to ignore the

fact that it was to Lord Cardwell's Administration they owed the introduction of the great principle of short service. The steps which the late Government took with reference to short service appeared to him (Major Beaumont) inadequate; they did not sufficiently recognize the difficulties that might stand in the way of the carrying out of that principle. The object of his Motion was to carry to its legitimate conclusion a principle which had been already accepted by Her Majesty's Government. There was nothing in his proposition which was inconsistent with the steps in Army Reform taken by the late Government, and there was nothing in the details of his proposal which would run counter to the general requirements of the English service. There was no need to go into the question of the comparative cost of the English and foreign armies. Our recruiting cost more than that of Continental nations, partly because our system of enlistment was different, but chiefly because the immense prosperity of the country diverted labour to more profitable channels. One difference between us and foreign nations was, that there was a far greater proportion between the cost of our non-effective services and those of other countries. That, in his opinion, clearly pointed out the necessity of some reform. What ought to be the principles which should guide them in considering the question of Army Reform? He could not do better than repeat what was stated by Lord Cardwell on introducing the Army Bill in 1870. Lord Cardwell said it was necessary that the whole of their military force should be effective, and that it was desirable that their Army organization should be under one head. He further stated that the Reserve should be so constituted that in time of peace the Army should supply the Reserve and that in time of war the Reserve should supply the Army. He regretted that Lord Cardwell did not succeed in giving more effect to those views. One of the salient features of the Prussian system was that any man who entered the Army must calculate on 12 years' service, three years with the colours, five years in the First Reserve, and four years in the second. A comparison was sometimes made between the Prussian Landwehr and our Militia; but there was, in fact, no analogy between them, because the Militia were

specially enlisted and derived no benefit from training in the Regular Army; whereas the Landwehr were all old soldiers, preserving, while completing their service in the Reserves, all their associations and connections with the Army. The system of localization also contributed to the homogeneity of the Prussian Army. In the Prussian Army, further, the great principle was simplicity, no jealousies between different corps, no competition of recruiting sergeants in the market. The unit was the company, and that unit was cumulated until it formed a complete Army corps of 40,000 men. The system upon which the Prussian Army was constituted combined in the most effectual manner the principles which Lord Cardwell had laid down as necessary to be secured—simplicity, efficiency, and the power of expansion. He was perfectly well aware that on the Continent the principle of conscription was acted on, whereas that was not the case here. He was not in favour of conscription, and he believed there was no necessary connection between conscription and the system of the Prussian service. Let the House consider what their English system was. In the first place, the Regulars were now enlisted for a limited time, and received neither bounty nor pension. Next there were two Army Reserves. The men were liable in the first of those for service abroad, but in the second for home service only; in neither had they any recognized position in the Regular Army, and it was a matter of chance whether they had had any training in it or not, so that they were really not efficient Reserves. Next came the Militia, whose engagement was different from that of the Regulars; and there was the Militia Reserve, which formed part of the Militia itself, but the nature of whose engagement was different from that of the ordinary Militia. Lastly, there were the Yeomanry and the Volunteers. Now there was no direct connection between the two Reserve Forces which he had mentioned and the ranks of the Regular Army. It was true that the first part of the Army Reserve was liable to serve abroad; but still it was no part of the Regular Army, and the men of the two forces had different sympathies. Under these circumstances, Army re-organization must be a matter of considerable difficulty, because the operation would be like welding together two

metals of a dissimilar character. He did not propose to alter the number of men at all. That number was not too large, but it was desirable to see what the number actually was. The Secretary of State for War stated the other evening that from 458,000 and 459,000 men were provided for in the Estimates. But the Estimates themselves represented — he believed correctly — that 442,500 men were provided for; and as the number of the Militia was short by 8,000 men, and the First Reserve by 3,000, the total number of available men was reduced to 431,500. From this grand total he would deduct the number of Volunteers, who could not be considered in any scheme of Army Reform, as they were not subject to the direct and entire control of the Secretary for War. There were, then, 289,500 men available for home service, and after deducting the 125,000 Regulars, there was left a residue of 164,500 Reserves. He cited these figures because he wanted to get at the cost of the Reserves. The First and Second Reserves, with the Militia, cost £927,500, which represented an expenditure of £6 per man. His proposal was to carry out more fully the system of short service by making the number of men who formed the ranks of the Regular Army with the colours, 80,000, and by copying the Prussian system of passing these men successively into the ranks of the First and Second Reserves. He would make each Reserve consist of 100,000 men. The Regulars, he suggested, should serve three years with the colours, eight years in the First Reserve, and nine years in the Second, after which he proposed that they should be entitled to a pension. That would give them 280,000 men available for home service, while 180,000 would be available for service abroad, against 165,000 who were available for foreign service at the present time. If these figures could be realized, the Army would fulfil all the requirements it did at present, and would enjoy the advantage of being perfectly homogeneous and capable of the most economical administration. Unlike Continental countries, they had to garrison large colonies and also to protect India; but whether it were deemed desirable to have a separate Army for India or to keep the Indian Army as a part of their Home Army, his proposal would lend itself equally to both suggestions. No doubt the new

*Major Beaumont*

system would require that there should be a greater number of men passing through the ranks than was the case at present, the number which would be required per year being something over 30,000. The number last year was 17,000, in addition to those who joined the Militia. When they looked to the small inducement which was held out to men to join the Reserve there was nothing which could lead them to infer that the 30,000 men per year could not readily be obtained. To try short service properly, they must give men a sufficient inducement to remain in the Reserves, and they must fix the time of service with the colours at a period long enough to make men soldiers, but not sufficiently long to break off altogether their connection with civil life. He would like to take that opportunity of protesting against the results of the Short Service System, if tried under proper conditions, being judged from what they had seen of the system under its present regulations. To work the system properly, they should alter the length of service from six years to three, give the men in the Reserves larger pay, and provide for them afterwards by means of a pension. When these three conditions were fulfilled, he felt certain the results would amply justify the introduction of the Short Service System. He was of opinion that three years were sufficient to make an Infantry soldier, provided his military practice was refreshed and his efficiency was kept up by being called out from time to time, and this opinion was endorsed by the highest authorities. But if three years were sufficient to make an Infantryman a soldier, it was obvious that length of time would not be enough for a man enlisting in the Cavalry, who would have to learn, not only to walk and shoot, but also to ride, for an Artilleryman, who would have to be taught to manage guns, or for an Engineer, who, besides his military duties, had to go through courses of instruction in subjects such as photography, telegraphy, bridge building, and other specialities. If, therefore, it was the intention of the Secretary of State for War to make the length of service in the Engineers and the Infantry the same, he trusted the right hon. Gentleman would reserve the matter for further consideration. There was another aspect of the question, and that was the financial aspect. It would be seen from

the Estimates that a man in the Regular Army cost the country approximately £50 a-year, while the figures he had quoted in the early part of his remarks would show that their Reserves, speaking roundly and roughly, cost £6 a man. Now, in proportion as they made their Reserves efficient, they could diminish the numbers of their Regular Army. If they took 50,000 men from the Regular Army at £50 a man, they would save £2,500,000; and if they paid their Reserves £12, instead of £6, a man, taking the number at 200,000, they would have to set the additional cost of six times 200,000, or, speaking roughly, £1,250,000 against this saving of £2,500,000, which would leave a balance in favour of economy of £1,250,000. And in course of time the saving would be considerably more, because they could not have a system improperly constructed—round service in square holes and square service in round—without involving increased expense. The objections to his proposal were three; but he would premise by remarking that military men could not deny that his theory was right; and if it were right in principle, and there were only certain practical objections in the way, it was time to find some mode of getting over them. It was said, in the first place, that it would be unconstitutional to do away with the Militia; secondly, that his proposal would spoil the Army; and, thirdly, that they could not get the men. As to the first objection, what they wanted was, not that a thing should be constitutional, but that it should be good; and if a thing that was constitutional was not good, the sooner they got rid of it the better. As to the second point, no doubt colonels would object to their men passing so rapidly from their regiments into the Reserves, and that was a perfectly legitimate objection for colonels to take. But from the taxpayer's point of view they were indifferent whether the Regular Army or the Reserves might be the strongest, provided only that the country were sufficiently defended. With reference to the question of not getting the men, that, in his judgment, depended simply on offering sufficient inducements or not. It was obvious if they offered every soldier in the Army £100 a-year they could get all the men they wanted; and, on the other hand, if they gave only 2*d.* a-day to the men in the Reserves, they would have no Reserves at all. But be-

tween these two extremes there was a figure far within the limits of economy which might be safely and effectually adopted. With reference to what the Militia had done for us, he might mention that during the Peninsular War men were drafted from the Militia into the Army by ballot, the result being that the men so obtained to supply Wellington's army were got at great difficulty and cost. In the Crimean War the men were supplied without ballot, but the supply was found to be uncertain, and the Militia itself was very largely diminished in consequence. They found it necessary, therefore, to have recourse to German levies, and they knew what a lavish amount of money was expended on them. If they looked to the hasty levies of Gardes Mobiles raised in France during the late war, they would find that, when brought face to face with the Prussians, no matter what their superiority in numbers might be, they were not able to stand before a Regular Army. But these French levies were similar in character to English Militia. Sir John Burgoyne had stated that, before their military organization could be considered to be in a satisfactory condition, they must dismiss any idea of the Militia or Volunteers being effective for recruiting their Regular Forces until there was a considerable improvement in their organization; and another high authority had said that the experience of recent campaigns had proved the Militia to be a very valuable auxiliary, but not at all fitted to fill up gaps in the Regular Army. The opinions he had quoted seemed to show that some re-organization of their Militia and Reserves was needed; and he was of opinion that it could not be effected in a piecemeal way. If they were to have a complete and comprehensive system of Army reform, they must adopt altogether either a long system or a short one, for any halting between the two would inevitably bring them to grief. The object of his Motion was to enforce the view that uniformity of system was absolutely essential to economy of administration, and that the true solution of their difficulties was to be found in adopting gradually, but surely and in its entirety, the principle of passing their Reserves through the Regular Army. The hon. and gallant Gentleman concluded by moving his Resolution.

GENERAL SIR GEORGE BALFOUR seconded the Resolution.



## Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the Reserves for the defence of this Country should be formed of men who have passed through the ranks of the regular Army."—(*Major Beaumont*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

COLONEL NORTH said, there could be no doubt that it would be most advantageous to this country if they could have a reserve of old soldiers; but the first thing to secure was a real and substantial Army, which he was afraid at that moment they did not possess. There was an important difference between our Army and every Continental Army, because we had no conscription, and consequently no means of raising our strength, on an emergency, to any extent whatever. In 1854, the strength of the Army was 124,801, and there were actually serving 122,464 men, leaving a deficiency of 2,337. In 1855, when the Crimean War broke out, the Army was raised to 189,956 men, and the number serving was 143,298, leaving a deficiency of 46,658. In 1856, the Army was raised to 205,808, and there were 155,406 serving, leaving a deficiency of 50,402. In 1857, on the conclusion of the War, there was an immediate reduction of 60,000 men, the number voted being 144,518: but the number actually serving was 149,538, an excess of 5,020; but it had hardly been made before the Indian Mutiny broke out. In 1858, the Army was raised to 169,413, and the deficiency was 21,881. Then came the Franco-German War. On the 1st of August, 1870, they had an Army of 167,979; the number serving was 163,386, and the deficiency on the outbreak of the war was 4,593. In consequence of the outbreak of the war, the Army was increased by 20,000 men; but the deficiencies were—on the 1st of October, 16,915; on November 1, 14,530; on December 1, 12,741; on January 1, 1871, 9,606; on February 1, 7,255; on March 1, 5,283. In the same year, on the 14th of July, the French Reserves were called out, and on the 16th of July the mobilisation of the German Army took place, that force—amounting to between 400,000 and 500,000 men—being officially declared ready for war on the 1st

of August. When Marshal M'Mahon talked of 500 men as the proper strength for a battalion, he knew he could have 1,500 marching in a week; but, as he (Colonel North) told Lord Cardwell last year, a regiment of 500 would not muster 350. It was all very well to talk about such changes as that now proposed. The other day a proposal was made to reduce the number of men by 10,000, and now it was proposed to abolish the Militia and create a body of Reserves. In the case of the Expedition that had recently finished so gloriously, the whole strength of the three regiments sent out was not equal to that of one regiment sent to the Crimea; and in order to make up the number of 600 to send to the Gold Coast, the 79th Highlanders had to be broken up by 126 men being taken from the regiment. He would ask, was that satisfactory? Was the country safe? Were they not rather living in a fool's paradise? He admitted that if they had a first-rate Army, the men who had passed through it would make a magnificent Army of Reserve; but they had no Army at all. A General Order had been issued on the 14th of November authorizing recruits to be enlisted 5 feet 4½ inches in height for regiments of the Line; and in February last there was a General Order authorizing enlistment for the Artillery at 5 feet 6 inches. In the Artillery Lord Cardwell made a clean sweep of 101 officers, 216 non-commissioned officers, and 1,600 men, and they had never recovered from that. Then volunteers were called for, and other regiments lost their best men. He recollected his noble Friend (Lord Cardwell) laying down the proposition that their Army ought to be comparatively small, as regarded men and materials, in time of peace, but its efficiency high. He would ask, was that the case now? It was admitted that there were difficulties in the way of calling out the Reserves.

MR. CAMPBELL - BANNERMAN said, there was no difficulty about calling them out, but as to whether they were amenable to punishment for breach of discipline.

COLONEL NORTH said, it was a very strange state of things if the colonel of a regiment could not inflict punishment for insubordination without fear of the law.

MR. CAMPBELL - BANNERMAN said, that Mr. Ayrton, the late Judge Advocate General, had drafted a clause

to meet the difficulty, and it would have been inserted in the Army Discipline Bill to be introduced this Session.

COLONEL NORTH: And the sooner it was done the better. Instead of breaking up the 79th Highlanders, the Reserve Force should have been sent to the Gold Coast, by which the country would have been saved a considerable expense. He was afraid the Army of Reserve was a myth, for although it had been said to be in existence for several years they had never been seen in a body—on one occasion, however, about 250 of them attended the Autumn Manœuvres. He hoped the Government would pause before it adopted this three years' system. It came to this—that they had an Army consisting of men who might leave it after three years service, and who, if not allowed to do so, became discontented soldiers; they were to be encouraged in purchasing their discharges; and they had a Reserve of men who, when they were out, might disobey their officers as much as they pleased. If Englishmen would not stand conscription, they must pay for such an Army as could be depended upon. Changes, no doubt, might be suggested; but the expense must come out of the pockets of the ratepayers. What did they pay for recruits during the Crimean War? From £13 to £17 per man. As many as five regiments of Militia went to the Mediterranean during that war, and when they came back it was impossible to find a finer body of men in the Army. He was perfectly shocked to see some regiments; they were not to be compared to the soldiers they had 20 years ago, being for the most part mere boys without stamina or anything else. According to a Return which he held in his hand, it appeared that of 24,000 recruits in one year, 14,000 had passed and upwards of 9,000 were rejected. What did the Royal Commission over which Lord Panmure presided in 1867 report? They said—

“Recent events taught us that we must not rely in future on having time for preparation; wars would be sudden in their preparation and short in their duration, and woe to that country which was unprepared to defend itself against any contingency that might arise or any combination that might be formed against it. No doubt the measures that would be necessary might tend to increase the cost of the Army; but, considering the vast interests at stake and the wealth of the country, whatever that in-

creased cost might be, it would, after all, amount to a very trifling insurance to pay for placing the Army in a satisfactory condition.”

The Royal Commission reported in 1867; and to show how true their remarks were he would only say that the war in 1870 was declared on the 23rd of July, and, so far as fighting was concerned, the French Army was utterly crushed by the 1st of September at Sedan. He merely rose to protest against these constant interferences with the Army. Some change or another was constantly brought forward, and the changes were always for the worse. He hoped they would at last open their eyes, and see that the safety of the country depended on the efficiency of the Army.

GENERAL SHUTE said, he rose for the purpose of making a few short, soldier's remarks. It was the great weakness of the military theorists of the day to urge the adoption of a slavish imitation of the military system of Prussia. Those who did so seemed to him to forget that the system of that country was entirely founded upon conscription, and it was utterly impossible to adopt that system with advantage without conscription, which Englishmen would never have. First of all they must find men, which they had the greatest difficulty in doing, although they had reduced the standard of Infantry to 5 feet 4½ inches. Most of those enlisted were mere boys—many of them 16, though calling themselves 18—and they would not be made fit for the field in less than three or four years. The Prussians did not admit men for short service under 20 years of age, and who were able to march and carry their kits; but in our infantry regiments, he could state from observation that one-third the men would hardly be able to carry their rifles and ammunition in a campaign. In order to remedy that state of affairs, the first thing to be considered was our system of recruiting, and that must be encouraged in a more rational way than it had hitherto been. It had been the fashion of late to take all the loaves and fishes away from both officers and soldiers. They had thus nothing to look forward to, or to attach them to the service. They must improve the position of non-commissioned officers both as to pension and pay. They must also endeavour to re-adopt the system of giving bounty, considerably increase the bounty money,



which they could not now do for the best of all reasons—namely, because they had given up tattooing for desertion. This had been for political clap-trap called branding, and designated military tyranny. He should like every one to know that marking with the letter “D” was never a military punishment. Officers objected to it; indeed, he denied that they had ever willingly tattooed deserters, and it was only adopted to save the taxpayers from fraud, and for that reason was forced on the officers who, in the case of convicting a soldier of desertion had, if they omitted to mark him, to attach a special letter to the proceedings of the Court Martial, giving their reason for the omission. Whether the custom should be re-adopted or not was a question open to consideration, for, no doubt there was an immense amount of desertion, and it must be checked in some way or other. In his regiment, after the “D” was abolished, desertion increased in a most extraordinary degree. Indeed, he had at one time amongst his recruits, he believed, 30 men who had deserted from the Artillery. Every man wanted to be in a mounted corps, not knowing that there was such hard work to be done. They first went to the Artillery and then to the Cavalry, and finding the work there, too, no sinecure, deserted to the Infantry, some of these appearing on the strength of three regiments at the same time. A great deal had been said of the different Forces; but it should be remembered that in the case of voluntary service, the great object should be to utilize the whole of the population as far as possible for military purposes; and those who served in the Yeomanry and the Militia would be lost to the country but for those two Forces, for hon. Members in the command of Yeomanry regiments knew that it was composed of men who would not serve in any other Force. With regard to short service, like most men who had commanded regiments, he was strongly opposed to it as regarded the Cavalry and Artillery, as it was impossible that, under that arrangement, the necessary efficiency could be obtained. For instance, too, it was a mistake to suppose that a man would be useful after he had long left his regiment. A Cavalry soldier, at the end of 18 months, if, as would be probable, during that time he had never mounted or groomed

a horse, would be as difficult to train, and of as little use, as a fresh recruit.

MR. O'REILLY said, that the questions of recruiting and the Reserve, which were inseparably connected, had yet to be solved. Looking at the question practically, and believing the proposal of the hon. and gallant Member for South Durham (Major Beaumont) to be impracticable, he was not prepared to recommend its adoption. The object was practically to imitate the Prussians in having a strong Reserve, upon which we could lay our hands at any moment; but this, however desirable, would be impossible without the conscription, which never would be tolerated in this country. The short service of three years was equally impracticable; for to carry it into effect you must take in recruits below the age of 20, or even 18, and the result would be that the average age of the whole Army would be below 20. All the recruiting officers declared that by the time an Englishman attained the age of 20 his mind was made up, and that not 1 in 100 had any other intention than to adopt the profession of arms. This was, therefore, an objection, in his mind, to shortening the term of service to three years. His hon. and gallant Friend had said that the pay and pension of the men must be increased, and with regard to the pay, the cost of every man in the Army Reserve had been put down by the late Secretary of War at £6, and he said he should be able under his plan to spend £12. The question, however, was whether the increase from £6 to £12 on the Reserve would be such an attraction as to draw to it large masses of recruits. With regard to pension, too, the hon. and gallant Member seemed to forget that any increase of pension, to be really worth anything, would be an enormous addition to the Estimates. It was a heavy item under the former system of long service, when fewer men lived to claim the pension. The three recommendations of the hon. and gallant Member would, therefore, in his opinion, practically break down. He agreed with his hon. and gallant Friend that 32,000 or 34,000 recruits would be required annually to keep up the Army to its proper strength. It had been pointed out that no less than 44,000 men had altogether been raised for all branches of military service last year. Not less than 29,000 of

this number, however, had been enlisted for the Militia, and there were thousands of men who enlisted for the Militia who would never enlist for three years' service in the Line. He ventured to think that for carrying out the three years' term of service entirely and satisfactorily at least 34,000 recruits would be required every year. It was inexpedient to make more changes in our Army system than were necessary, for they might knock the life out of institutions by reforming them, and with regard to the point under discussion, the difficulties of recruiting lay at the base of the entire system. Practically, the number of recruits obtained last year — namely, 17,200—did not keep up the strength of the Army, and the Commission on Army Recruiting, of which he was a Member, went carefully into the subject, and reported that to keep up the Army to its proper strength about 22,000 recruits a-year were required. It was said that they might get more by shortening the term of service; but the Inspector General of Recruiting thought a good number of recruits had been lost because they did not see their way to serving permanently, and it was a question worth consideration whether it was not advisable to accept recruits for whatever term they could be got, for experience showed that the ordinary Englishman was not inclined to serve for a term in the Army and then immediately to leave it. In countries where the conscription existed the authorities had only to say how many men between certain ages should be called out; but in England the problem was yearly to find 32,000 men who were willing to serve for three years. Most of the men who entered did so because they had a turn for soldiering and intended to remain in the Army for the whole of their lives. It was said that of the 17,200 recruits enlisted last year 9,000 had enlisted for short service and 7,000 odd for long service; but that did not show conclusively the attraction of short service. The whole question of the Army Reserve was unsolved, and it could not as yet be said that Lord Cardwell's plan had shown a prospect of success. It was a valuable experiment, and had not done the least harm; but it had been found that, under existing conditions, it could not be carried out. Captain Vivian told the House in March, 1871, what the Government were going to

do. He entered into actuarial calculations, from which it appeared that the Government required 32,449 recruits. The result was that the Government had obtained only 17,200. Captain Vivian's calculation was that the plan of the late Government would produce in the fourth year after the system had commenced 13,674 men. Altogether it had produced just half what it had been estimated to produce in four years. The Army was to get 14,000 men in the four years, while practically they had got 7,000 men in three years. Could it be said, under these circumstances, that the scheme had been a success? The Army was not kept up to its proper strength by 17,200 recruits, and 5,000 more were wanted. The hon. and gallant Member for South Durham proposed to do away with the Militia in order to get the additional men; but the Militia had always been the most valuable source of recruits for the regular Army. There were endless authorities to prove that, and therefore he would suggest that the Militia should be improved and made as attractive as possible. The evidence of Adjutant-General Wetherall was decidedly in favour of the class of agricultural recruits. He said that their conduct and stature were superior. The Militia obtained the agricultural recruits and they constantly passed from the Militia to the regular Army. It stood to reason that they should do so, because the Militia, being a local force, and being a half-way step to the Army, the men joined first the Militia regiment and then volunteered into the Line. It had been remarked that the Militia who volunteered into the Line at the time of the Crimean War were not first-rate men, but it must be recollected that the men who then volunteered into the Line were not Militiamen, but merely Militia recruits. He ventured to say that the trained Militiamen who joined the Line, were far superior to the ordinary Line recruits, and that if they were mixed up with the regular soldiers in reasonable proportions, they would be a great addition to the strength of our regiments. The system of Militia Reserve introduced by General Peel, by which a hold was obtained over the men while in the Militia, and made them thus available as a Reserve for the Line, was a most valuable improvement in our military arrangements. It had been said that

our Militia were no better than the raw levies of the French during the late war, but thousands of the French recruits were mere boys who did not know which end of their breech-loader they were to load at, and that while they were within 30 miles of the enemy, and surely our Militiamen would be more likely to make effective soldiers after a short training than such a class of recruits as that. It had been very properly pointed out that at present we had no hold whatever upon the men who went out of the Army into the Reserve, and that there was a great difficulty in finding them when they were wanted, and he, therefore, suggested that the Reserve men from the Regular Army should, as far as possible, be passed into the Militia, which they would greatly strengthen by their presence, while, at the same time, by their being made to drill with the Militia, their whereabouts could be easily ascertained. In his opinion the right hon. Gentleman the (Secretary of State for War) could not do better than attempt to carry still further the localization of our Forces by means of the system of what might be called "linked regiments"—the system of linking the Line with the Militia—a system which might have imperfections in its working, but which he believed would prove of great advantage in making the Militia regiment a support and feeder to the Line regiment, and at the same time making the Line regiment to a still greater extent a feeder to the Militia regiment. Hitherto the linking system had not been carried out to any appreciable extent, although, as he believed, it was essential to a good system of recruiting that it should be carried out. In order to effect that object commissions in the Line should only be given to the officers of those Militia regiments from which a certain number of men had volunteered into their associated Line regiments during the previous year. He had made these suggestions, because he believed that the question of placing our Recruiting and our Reserve upon a satisfactory footing had not yet been solved, inasmuch as, instead of our having obtained 22,000 recruits last year, we had only obtained 17,000 men, and, instead of having 14,000 in the Reserve, we had only 7,000. For his part he had no desire to see another Commission appointed to inquire into the subject; but

*Mr. O'Reilly*

if one were to be appointed, he hoped the right hon. Gentleman the Secretary of State for War would not do one thing—appoint a large one. If one was much required, far better have a small than a large one.

COLONEL SIR HENRY WILMOT said, he wished to call the attention of the right hon. Gentleman the Secretary of State for War to the present unsatisfactory position of non-commissioned officers, in the hope that something might be done to improve it, so that an inducement should be held out to such men to re-engage at the expiration of their time of service. The non-commissioned officers under the old system were as fine a body of men as ever wore uniform; but, under the present system, he was afraid that such men would disappear altogether, there being no inducement whatever to them to re-engage in the Army, while the inducements held out to them to become civilians were very great. He should recommend, in the first place, that every sergeant should have a room to himself, it not being right that a married man, holding a responsible position, should be compelled to occupy a room shared by another married couple. He would also recommend that they should be offered more advantageous terms of pay; that they should have an increase of pay after six years' service in the event of their re-engaging, and a further increase on re-engaging for a third term of six years, at the expiry of which, or after 18 years' service, they should be entitled to a pension. Until the non-commissioned officers had their present position improved so as to offer them sufficient inducement to serve in the Army as a profession, with a fair prospect of a comfortable retirement in the end, he was afraid that the system of short service would break down, particularly in so far as they were concerned.

GENERAL SIR GEORGE BALFOUR said, he could not concur in the view that there was at present any greater deficiency than there had always been in the effective strength of the Army, as compared with the established strength. Although the House had been told that the Militia was a great feeder of the Army, the information which was laid before the Recruiting Commission led him very much to doubt the accuracy of that assertion. During

the Peninsular War the Regular Militia furnished, as compared with the numbers of that Force, but little aid in keeping up the effective strength of the Army, which derived its chief supply from the local Militia of Lord Castle-reagh—a body which amounted to something like 400,000 men, and from which considerable supplies of men were obtained. At the commencement of the Crimean War it was confidently expected that the Militia, if called out and embodied, would amply supply the Army with recruits; but the fact was, the Regular Militia supplied very few men indeed. After the first few months of that war the Government were urged to call out the Militia, and after great delay that measure was adopted; but so far from the Militia furnishing a number of men at all commensurate with the expense so incurred, only one half the number of men expected to join the Army did offer. Recruiting for the Army depended very much upon the popularity of the service. While the Crimean War lasted every effort was made to obtain recruits, but the number enrolled did not greatly exceed the number ordinarily obtained before the war broke out. They amounted only during two years to 61,000, whereas, so popular was the Indian service, that during two years of the Mutiny, 64,000 recruits were readily obtained. Men were found to flock into regiments intended for India and for the India service with readiness, and desertions were far less numerous than during the Crimean War. It happened, too, that after incurring the cost of raising the Militia for the express object of filling up the ranks of the Army, yet the Infantry of the Line at the time of the Crimean War, when its strength was highest, was 50,000 below the Establishment. While, therefore, the system of voluntary recruiting prevailed, unless the service was made popular, and the recruiting parties kept up in an efficient state the difficulty of obtaining recruits would continue to be experienced. The right hon. Gentleman the Secretary of State for War observed with great truth the other evening, that while some branches of the service were easily recruited, others were not. The Indian Service, as he (Sir George Balfour) had mentioned, was among the former, and was formerly so popular

that recruits were easily procured, and, as already stated, during the Mutiny he believed every man at Aldershot would have volunteered for India if he had been asked or allowed to do so. In the present time they should take advantage of this popularity, and provide for the service in India in such a way as to enable men to go out and serve there; then they would find many who were ready to go, and thus give great relief to the service out of India. One great difficulty in the way of forming Reserves arose from the manner in which the regular Army was scattered, and they might fritter away their whole available strength in forming this Reserve and that Reserve, and thus fail in having a reliable defensive Force. In July last they had 94,000 privates of Infantry of the Line, 52,000 of whom were serving in India and the Colonies, leaving 42,000 to be employed in Ireland and Great Britain. How was it possible to form a great Infantry Reserve out of the Infantry, and with an Army so circumstanced as our Army was, requiring all its regiments to be in a state to go abroad? It would, in practice, be found necessary to increase the number of recruiting stations, and it was known by experience that in proportion as the number of recruiters was increased, and the required stature was diminished the greater would be the number of recruits coming to the standards. Then, again, it would be found very beneficial to add to the number of existing depôts throughout the country, so that young men might be properly trained and kept until they were fit to enter the ranks. This was one of the suggestions of the last Commission on recruiting, and hitherto neglected. Ten men with pith and stamina were worth four times the number of weak striplings, and only men who were able to face and endure fatigue ought to be sent to India or Africa. He hoped the right hon. Gentleman would give his attention to the subject of the re-organization of the Army, so as to diminish the cost of our skeleton battalions of Infantry, and would not lose sight of the fact that the Militia, by its distribution throughout the country, was an opposing competitor of the Regular Forces, and drew away a large proportion of men who would otherwise enter the Army, and especially agricultural la-



bourers; than whom there were no better soldiers in the field. He was rather surprised to hear that the Army was now not in a state of efficiency as to numbers, in comparison with the established strength, and the more so, that it appeared from a Return presented that morning, that last year the effectives of the Army were more closely up to the Establishment than they had been for many years before. If hon. Members would turn to the Returns in the Appendix to the Report of the last Recruiting Commission they would see that even when they had the long-service men, the effectives were considerably below the Establishment. In order to enable Members of this House to consider matters of Army reform more satisfactorily, he trusted that the right hon. Gentleman would do something towards improving the existing official Returns laid before the House. The Army Statistical Abstract, that morning distributed, was a good beginning, but it must be admitted that the information given was very meagre, and in certain points was exceedingly defective. The Returns were not drawn out in a uniform manner with Returns previously laid before the House, and were so prepared as to defy comparison with former years. Hon. Gentlemen ought, at all events, to have accurate data before they alarmed the country by saying that the Army was greatly deficient in strength.

MAJOR DICKSON said, that every practical soldier, whether within the House or out of it, would agree with him, that there was a growing feeling in the House and in the country that the short enlistment system was slowly but surely destroying the strength of the Army. It was increasing desertion to an extent never known before, and it was denuding the regiments of old soldiers. The Duke of Wellington declared that the old soldiers were the life, the soul, and the heart of the British Army, and yet they were, within 20 years of the death of that distinguished Captain, introducing the system which he strongly condemned, the result being that if a war broke out, our regiments as at present constituted would be quite unable to cope with Continental armies. He ventured, in 1870, in that House, to protest against the introduction of short enlistment; and he found that many of the evils he then predicted were gradually

being realized, while he failed to find that any of the promised advantages had been reaped. It was said that the country would save the expense of bounties; and so it had, but by sacrificing its old soldiers. Further, Lord Cardwell anticipated that the short-service system would increase the popularity of the Army, and make it truly national; but so far from becoming popular, the difficulties of recruiting were greater than ever, for the class of recruits was worse than formerly, while desertions were steadily increasing. Lord Cardwell held out another inducement. He said that the new system would provide an Army of Reserve. He (Major Dickson) doubted very much whether such an army existed; but if it did, he should be curious to know how it was that the 42nd Highlanders were not recruited from the Reserve. He hoped that the right hon. Gentleman the Secretary of State for War would brigade the Reserves at Aldershot, and would go down to inspect that phantom Force, and at the same time inspect the ranks of the regiments, and see the great extent to which they were composed of striplings. The right hon. Gentleman would then see that the country had paid very dear for losing its old soldiers, who had always been the backbone of the British Army.

MR. BUTLER-JOHNSTONE said, he did not attach any importance whatever to the cuckoo cry of making the Army popular. It was not a question of making the Army popular, for he did not believe the Army was at all unpopular, but a question of organization; and while the labour market was in its present state—and the labour market was more likely to get dearer than cheaper—they would have difficulties in getting soldiers for the pay which was offered them. This was a serious question which affected both the safety and the policy of the country, and he could not conceive any subject of greater importance. They had been promised an Army Reserve, but after an experiment of four years—after the introduction of the short-service system, and after the British Army had suffered in its efficiency, they had got 7,000 men of Reserve. When they compared that number with the hundreds of thousands composing the Reserves of Continental countries, it was so paltry that it was evident that the system had entirely and absolutely broken down. If they asked any old

soldier his opinion of the short-service system, he would tell them that it had been destructive to the Army in more than one important point—especially in the efficiency of the non-commissioned officers. Even in France, since the introduction of the Prussian system, they had great difficulty in getting properly-qualified non-commissioned officers. This state of things had arisen, in his opinion, from an attempt to combine two objects entirely different. In England they wanted two kinds of armies absolutely distinct—the one was for the defence of their country, and to be able to take the field to support the policy of the country, if necessary; and the other for service in India and the Colonies. For the defence of the country, and in order to have an adequate Reserve, he could conceive that the short-service system might do; but if they wished to have large bodies of men to go to India, nothing could be more unsatisfactory than the short-service system. It seemed to him to be too hastily assumed that the country would never put up with the conscription. The conscription, such as it existed among Continental nations, he believed to be perhaps impossible, and to be at any rate unnecessary; but a modified system of compulsory service he thought the country, in a time of danger and peril, would be ready to bear. If they had a Militia in which every man was obliged to serve one year without any kind of exceptions for rank, wealth, or birth, and those who had served in it became fused with the mass of the population, they would have a Reserve from which their Regular Army might be recruited on the long-service system. Their Volunteers would then consist of men who had served a year under the standards, attaining much greater efficiency, and no Reserve would be required, for the whole population would be the Reserve. In the event of a popular war—and with our institutions no unpopular war could be waged—the Army could be recruited up to any point desired. Recruiting was becoming such a great and increasing difficulty that he believed it would be necessary before long to have some such system of modified compulsory service. They might give a man the option of serving any year from his 17th to his 24th year, and there were few men who would not be better for one year's

service with the standard. With the exception of paying taxes—which they all knew was a privilege and not a burden—especially the brewers and those assessed under Schedule D of the Income Tax, as could be testified by every Chancellor of the Exchequer—and occasionally serving on juries, there was not a single personal sacrifice which an Englishman was required to make for his country. He believed that if the statesmen of England told the people that their national greatness depended upon having a great national Force, they would be prepared to submit to the sacrifices necessary to secure a Force adequate to maintain the honour and dignity of the country, and such sacrifices were embodied in his suggestion, which he held to be perfectly practical.

MR. CAMPBELL - BANNERMAN said, the House would feel much indebted to his hon. and gallant Friend the Member for South Durham (Major Beaumont) for raising a discussion of which he might say *Quot homines, tot sententiæ*, almost every Speaker having had a theory of his own. In his opinion, they were treading on dangerous ground when they proposed to introduce sweeping changes, for all the arrangements now existing were purely tentative, and the differences of opinion which had been disclosed were a proof that the course now being pursued was the wisest, since it would develop any latent good in each separate force. The Militia, under the localization system, brigaded and drilled identically with the Line, would be brought up to a pitch of efficiency not hitherto reached; the Reserves would be more ready of identification; and the Army itself would be more popular in the country. That had been the object of the system, and till it had had a fair trial it ought not to be interfered with. His hon. and gallant Friend had said much on the Prussian system; but though on smaller matters there might be suggestions which we could adopt, it was fallacious to compare two countries differing in political systems and in the character of the people. Our own Estimates showed the whole cost of our Army, except, indeed, the value of the labour employed; but that was not the case in Prussia. We must remember the enormous indirect charge which fell upon the inhabitants of that country, which did not appear in



the Estimates, and which was hardly assessable in money at all. In talking of the financial result of his proposed system, the hon. and gallant Mover of the Amendment had introduced an element of considerable uncertainty when he said the Reserve men would have to go on to pension, for it had been deemed an undoubted advantage of the short-service system that it did away with the necessity of pensions altogether. Reference had been made to recruiting under the new system, and it had been alleged that the men who now offered themselves were not so good, physically speaking, as those who used to offer themselves, and that the numbers obtained were insufficient for the requirements of the Army. Those facts, if they were true, might be accounted for by the exceptional state of the labour market of late years, the rise in wages, and the consequent temptation to accept employment elsewhere than in the Army. The same circumstances would account for and answer the allegation that desertions were more numerous than formerly. As to the character of the recruits, the recently issued Report of General Taylor, the Inspector General of Recruiting, showed that of 258 who were objected to, after thorough enquiry and examination by commanding officers, 117 were retained and 141 released, being a proportion of less than 1 per cent on the total number of recruits raised during the year; and, according to the same authority, our standard of height, 5 feet 5 inches for the Infantry, was considerably higher than that of any other Army in Europe. No other Army in Europe required such a high standard, and that of itself added greatly to the difficulty of recruiting. He thought that if we secured a good chest measurement, with good stamina and physical endurance, we should have quite as good an Army, even with a lower standard of height, though the men might not look quite so well on parade. With regard to the Ashantee expedition, there was nothing exceptional in men of the 79th Highlanders being drafted into the 42nd, instead of men of the Reserve; it was quite in accordance with the process described in General M'Dougall's Report, which was laid before the House at the time the Army Localization Bill was under discussion. It was never intended to call

out the Army Reserve men, except in cases of great emergency, such as an European War, when they would be taken to fill up the ranks of our regiments. The late expedition, however, was simply a case of sending regiments abroad. Observations had been made upon the military authorities, for sending three distinguished battalions to the Gold Coast. The fact was, that seven battalions were last year kept at a higher strength than others because they were first on the roster for foreign service. During last year, four were prepared and despatched to India, and the three that remained, and were therefore first on the roster, were the 42nd Highlanders, the Second Battalion of the 23rd, and the Second Battalion of the Rifle Brigade. The 23rd and the Rifle Brigade, not being up to their full establishment, were filled up from twin battalions; but there being no twin battalion for the 42nd, that was filled up from the 79th, which was the linked battalion, and with it formed the Perth Brigade. In five or six years a sufficient number of men would have been enlisted for the Brigade, but at present there was a deficiency of men who had been so enlisted, and therefore volunteers were called for from the linked battalion. This was the simple explanation of the facts, and he could not conceive that it involved anything to be found fault with. It had been stated that after the lapse of four years of short-service, the number of Reserves was only 7,000 instead of 14,000; but the short-service had commenced so recently that the larger number could not have been raised. If men were enlisted for six years we must wait that time for them, and their non-appearance in the interval furnished no argument against the Reserve, and if Captain Vivian had made use of the language that had been attributed to him, he must have referred to a period after 1876, or he must have contemplated a shorter period of service than six years. The number of men who had been voluntarily passed into the Reserve was 7,000, and it would be remembered that the Reserve system would not come into real operation until after the year 1876. He could not agree that short-service caused desertion, because there were most desertions from the Artillery, in which short-service had not yet been intro-

*Mr. Campbell-Bannerman*

duced. That was a sufficient proof that desertions were to be attributed to other causes. He quite agreed with all that had been said with regard to the desirability of the Militia regiments having an opportunity of being united as closely as possible with the regiments of the Line in their respective localities for drill and service. That was the desire of the late Government, and he presumed that the right hon. Gentleman who was at present at the head of the War Department could only have the same desire, and would do his best to realize that object. It was, however, a question of time, and could only be effected gradually, as many difficulties were found in the way, and to do it in the short period mentioned by many hon. and gallant Members would be quite impossible. He hoped the Amendment would not be pressed to a division, and that the hon. and gallant Mover would be satisfied with the expression of opinion which he had elicited, and would leave the matter as it at present stood until it had been further tried by the test of time.

MR. GATHORNE HARDY: I have very little to say, because any observations calling for remark relate mainly to what was done by the late Government, which is now represented by the hon. Gentleman who has just sat down, and who has replied on the points calling for any explanation. No doubt, it is the desire of everyone that the Army, however constituted, should be thoroughly efficient; that we should get the best possible recruits; and it is equally desirable that our Reserves should be of such a character that we should be able to find them when we want them to do their duty to their country. Now, it has been admitted that, so far as our present Army of Reserve is concerned, that certainly is not the case, and I can quite understand how the difficulty has arisen. When the Army of Reserve is called out by proclamation, in the case of a national emergency, it will stand on the same footing as the Regular Army—that is, a man who does not respond to the call is liable to be punished as a deserter; but sufficient provision is not made for putting your hand on the men in ordinary cases, or for controlling them when they volunteer for service—in such cases, for instance, as that in which they volunteer to take part in the Autumn Manœuvres. Last

year a number of men volunteered for these Manœuvres, and their conduct was such as to bring discredit on the corps to which they were attached, but there was no means of dealing with them in the way of punishment which was at all efficient. There is certainly the option of discharging; but when you have had a man in the service for a certain number of years, to discharge him from it would, probably, be to give him the relief which he desires. You cannot, therefore, make that a punishment; and now, with respect to the remarks of my hon. and gallant Friend the Member for Oxfordshire (Colonel North) respecting the Army, I would observe that, with every desire to look the thing fairly in the face, I think he is disposed to take a somewhat pessimist view. There are many things which may stand in need of amendment; but it appears to me that he is mistaken in supposing that recruiting is in absolutely so bad a condition as he seems to imagine. I am told by the hon. and gallant Member for Dover (Major Dickson) that I should take an opportunity of examining the regiments myself, but I am afraid my skill is not so great as that of others who are accustomed to the training of men. What I have to do under these circumstances is this—I get the Report of the Inspector General, and that I have endeavoured to sift by asking him questions in order that I may attain the utmost accuracy. I have called for Returns from commanding officers from every part of the country, and I have before me their remarks on the class of recruits of the present as compared with the few last years, and although in certain districts and in particular regiments a deterioration may be observable, yet I am bound to say that the reports generally go to show that the recruits are at least as good as they have been in recent years, and that they are of a class which improves very rapidly by good treatment. There is a Return which has been moved for by the hon. Member for Hackney (Mr. Holms), bringing the condition of the Army up to November 30, 1873, and hon. Members will observe that the ages of the men given in that Return range from 17 upwards. There is no doubt that recruits do sometimes misrepresent their ages, and that boys of 17 may say that they are 18; but if allowance be made for that I think you will find that the great

mass of the Army consists of men in what I should call the prime of life—that is, from 20 to 34 or 35 years of age—in other words, the very class of men we should all like to see in it. With regard to the younger men, it is, no doubt, very important that you should have men who, from the very beginning, should be able to do all the duties of their position. I am afraid, however, that such a class of recruits could not be very readily secured in the present state of the labour market. Probably, therefore, for a year or two after entering the service the young men whom we get may not be able to perform all the duties which they would be liable to discharge. Men of great experience too tell you that the ordinary recruit is not able to bear the fatigue of his profession at the outset without a certain amount of training; but I am informed that after a year or two of such training, accompanied by better food, they become capable of doing all the duties which are required of them. Still, no doubt, the loss of a year or two tells much in the case of short-service. I would now, in reply to the remarks of the hon. and gallant General opposite the Member for Kincardineshire (General Sir George Balfour), beg to say that there is no one more interested than myself—as a matter of duty and wisdom—in laying accurate Returns before the House. They are just as essential to me as to any other hon. Member, and I should be quite ashamed of myself if I were to keep anything back and did not state the facts of the case as they impressed themselves on my mind. The hon. and gallant General says that the service in India is a popular service, and there are many things to bring that popularity about. There is, in the first place, practically double pay, and, anxious as the House may be for the efficiency of the Army, I am afraid I should not obtain a grant for even the present pay and a half. It must be borne in mind, too, that the men in India have a great deal less work to do, and that they are waited upon, and have done for them, many things which in England they are obliged to do for themselves—such as the cleaning of their accoutrements. Now, as to what has been said about 140 men having been taken from the 79th Regiment, I would observe that those men were volunteers, and were not in any way taken by compulsion, and

because they were volunteers, I have had the pleasure of restoring them to their old regiment. I would, in the next place, remark that the hon. and gallant General opposite has set me a most formidable task. Listening to the debates on military questions in this House during the last four years, I had at all events supposed that the Army was being re-organized; but I am to-night told that I must begin to re-organize it and place it upon a new footing. Well, it is rather startling to be told that; but all I can say is that when I am more acquainted with the duties of my present office, I shall not hesitate, if I find the Army requires to be re-organized, to come down to this House and ask it to assent to some proposal with that object. The first duty I have to discharge is to see that the Army is really efficient, and if I were to be prevented from taking steps to do that which was deemed to be essential in the interests of the Army and the country, I should very soon cease to fill the position I have now the honour to occupy. As to the Motion of the hon. and gallant Gentleman opposite the Member for South Durham (Major Beaumont), he will forgive me for saying that it seems to me to be a somewhat extraordinary process that, while seeking to bring about the greatest efficiency in the service, he should attempt to stop the Supplies, and thus prevent us from having any Army at all. The hon. and gallant Gentleman said we must not attempt to compete with foreign armies; but we do not, and if we wished, we could not, neither are we required, as everyone admits, to keep up an Army to compete with those of foreign nations. There is in our case a first line of defence which does not belong to the Army. We have our Navy, which must not be lost sight of in dealing with the questions of home service and invasion. When you send men abroad to take part in a foreign war you must provide for a different state of things, and must take care that your Army is efficient for the purpose which you have in view. But I do not suppose that even the hon. and gallant Gentleman opposite dreams of our sending out an Army of such dimensions as those which are maintained on the Continent. He spoke of an Army of 280,000, which I imagine he means should be available in the case of foreign

war. Now, in Great Britain we have 98,000; in the Colonies, 24,000; and in India, 62,000. The hon. and gallant Gentleman at the same time gave us a *quasi* estimate of expense, but it seemed to me there were many circumstances which he left entirely out of view. It is necessary, in making a calculation of this kind, to bear in mind all that appertains to the interests of an Army of the size contemplated. If you had 280,000 men you would have to increase all the appliances which at present exist in connection only with the Regular Army. No doubt, there is also the Militia, but it is not kept in the same state of complete equipment and readiness as if it were a part of the Regular Army. With regard to the number of recruits supposed by him to be needed, I am by no means convinced that it would be anything like sufficient, and I found my opinion upon a careful actuarial calculation which has been made as to the number of men available in this country, and the number we are likely to get. I do not believe that the kind of service contemplated would be found very attractive to recruits, and, moreover, I am quite certain you would require an unexpectedly great number of men if you wished to pass them as rapidly as is suggested from the Army into the Reserve. The hon. and gallant Gentleman moreover leaves out of sight, in considering our Reserve, the great Volunteer Force of the country. That Force can never be passed through the Army, and therefore the present Motion would be a condemnation of the Volunteers. Whether we can ever come to a better position with respect to the Militia is a totally different question, and one which no doubt calls for consideration. It might be possible that instead of the Army of Reserve being a distinct thing altogether from the Militia, it might in some sense be united with the Militia, to the great benefit of the Militia itself, and probably of the country, and that is a question which may well be reserved for future discussion; but after the discussion which has taken place I trust the House will allow the Estimates to be proceeded with in Committee.

Amendment, by leave, *withdrawn*.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) £48,100, Divine Service.

COLONEL NORTH inquired whether some mode could not be devised for the reward of those chaplains for the Forces who had accompanied the Gold Coast Expedition. They could not be promoted unless the number of chaplains was augmented, and suggested whether some of the Crown livings might not be very properly and usefully devoted to that purpose? The chaplains who had accompanied the troops in Ashantee, he understood, had admirably performed their duty.

MR. GATHORNE HARDY, in reply, said, that the principle of selection, with a view to promotion, was never applied in the case of chaplains of the Forces, and that it was not the practice to raise one chaplain above the others, by exceptional advancement, for service in the field. Moreover, he was afraid that the livings at the disposal of the Crown were very few indeed, and as his right hon. Friend who had the disposal of them was not present, his hon. and gallant Friend would see that no answer could be given to that part of the Question.

*Vote agreed to.*

(2.) £26,300, Administration of Military Law.

COLONEL BARTELOT pointed out that while there was a decrease in the other details of this Vote, the same sum was put down for the apprehension of deserters.

MR. GATHORNE HARDY said, the amount in question was an annually increasing item of expenditure. The apparent inconsistency arose in consequence of certain new arrangements as to the mode of keeping the accounts.

COLONEL NORTH, in calling attention to cases of soldiers who, whilst really guilty of desertion, were, under the existing system, only tried for being absent without leave, and therefore did not forfeit the advantages accruing to long service and good conduct, said, he wished to refer to the case of a man belonging to the Coast Guard, who, although he had been away from duty from July 8, 1872, till March 27, 1874, had been tried, not for desertion, but for absence without leave, and had been



allowed to reckon that period of a year and nine months in his "good service." He believed that two-thirds of the men in the Army who were punished for absence without leave ought properly to be tried by court-martial for desertion. One man had actually joined 13 regiments and got 13 bounties, which never would have happened had he been tried at first for desertion.

MR. STEPHEN CAVE said, he was aware of the case to which reference had been made, and of others which were not, perhaps, quite so bad. A practice had grown up of trying men for absence without leave rather than for desertion, and it arose in some measure from an opinion that, as familiarity with crime led to crime, so if men became accustomed to constant trials for desertion, they would come to consider it a venial offence. Yet, if they were to search for motives, it would be found impossible to suppose that a man, who stayed away for two years, did not intend to desert. With the information he had obtained, he quite agreed that such a case as the one to which the gallant officer alluded was carrying the theory too far. It often happened that a soldier lost all the advantages of good conduct badges on account of some petty larceny he had committed, while the man who had undoubtedly been guilty of desertion might, if tried by a regimental court-martial for absence without leave, retain those rewards. It seemed to him that this might cause a great deal of injustice, and he thought that when a man was undoubtedly a deserter he should be tried for the offence which he had actually committed.

*Vote agreed to.*

(3.) £243,200, Medical Establishments and Services.

COLONEL NORTH expressed a hope that the number of good-service pensions in this department would be increased. There were at present only eight of them, and the number of officers was 943; three had received the honour of a K.C.B., 32 had been made Companions of the Bath, and no fewer than nine had received the Victoria Cross; 84 medical officers had served with the Gold Coast Expedition. The officers of the Marines, who were fewer in number, enjoyed more good-service pensions, and without wishing in any way

*Colonel North*

to depreciate the services of that gallant little army, yet he thought it was impossible not to be struck with the heroism and devotion of the medical officers in the late expedition.

*Vote agreed to.*

(4.) £738,500 Militia Pay and Allowances.

MR. NAGHTEN, in advocating a higher rate of bounty and pay for Militiamen, said, that in consequence of the inadequacy of the present scale they were fast losing men. If a man enlisted now under the present system, by the substitution of six years' service for five, he would get less by £5 16s. than he would have obtained under the old system in 13 years' service. Now, Militiamen were not quite such fools as some supposed them to be, and they could not see any benefit accruing from the reduction of the bounty. Efficiency combined with true economy was a very good thing, but the Militia were by no means as efficient as they might be. He urged that with regard to pensions to the permanent staff there should be greater liberality on the part of the War Department, with the view of enabling men who had been long in the two Services to retire. At present the Colonels had not the heart to recommend those men their discharge. For the staff sergeants he would suggest an increase of pension after 10, instead of at 20 years' service, with a graduated scale. As to the adjutants, he thought they were very hardly treated. Some of them had come out of the ranks; they were picked out as intelligent men, and after having given the best of their time to the service an allowance should be given to them which would induce them to retire, but that was not the case. He trusted that the present Government would not carry out the whole of Lord Cardwell's scheme, as it would not give satisfaction to the Army. In his opinion the training of Artillery Militia was not long enough, as he believed they might be made a very useful force. He would suggest that for Artillery Militia a longer training than at present should be the rule, and that they should be allowed the use of the guns at the different forts along the coast. In case of invasion they would then be able to fall into their places, and know all about the guns

they would have to use. For years past they had practised only with obsolete smooth-bore guns, and when one year, one of the two 32-pounders assigned to them was dismounted by an accident to the carriage, they had to finish their practice with one gun only. In speaking of Reserves, also, it should not be forgotten that the Militia Artillery alone mustered about 20,000 men, and if properly drilled would prove a most important force in case of invasion. He hoped the House would not forget how useful the Militia proved in the Crimean War and in the Indian Mutiny, at which latter period his (Mr. Naghten's) regiment supplied the nucleus for a new brigade of Artillery. In fact, the Militia ought to be made a national force and a nursery for the Army. He was glad to have some reason for believing that the right hon. Gentleman the Secretary of State for War intended to devote greater attention to this branch of the service, so as to render it more efficient and useful than heretofore.

GENERAL SIR GEORGE BALFOUR thought an explanatory Appendix would be found a serviceable addition towards the comprehension of the Estimates.

COLONEL BARTTELOT said, he had on a former occasion called attention to the subject of the promotion of officers from the Militia into the Line and asked his right hon. Friend to consider the matter. A letter from an "Officer in the Militia" had since been published, stating that he had been mistaken. But the statement he made was this—that two young gentlemen went up for examination, of whom the one passed exceedingly well and entered the Army as a sub-lieutenant, the other had been plucked, but afterwards was promoted from the Militia into the same regiment of the Line as lieutenant over the head of the man who had passed the successful examination. The other day he was in a railway carriage with some gentlemen of his acquaintance, and this matter became the subject of conversation. A young gentleman, with whom he was not acquainted, hearing what was said, remarked that it was a very hard case, and then told his own story. "I was twice 'ploughed,'" said he. "I went up with a friend of mine, who passed admirably. He got nearly the highest marks. We are both now in a most distinguished regiment. I have passed

in from the Militia, and am a lieutenant, while he is only a sub-lieutenant in the same regiment, and I venture to say he is a much more able man than I am." He (Colonel Barttelot) had letters from officers commanding districts and others, stating that if this system were allowed to go on it would create a feeling of discontent which it would be difficult to allay. He ventured to recommend this matter to the earnest consideration of his right hon. Friend, for it was important that no rivalry should be allowed between the Militia and the Line; the great object was to make the Militia as efficient as possible. The Secretary of State for War had remarked the other night that the numbers of the Militia were not as satisfactory as he could desire. But that was not extraordinary, seeing that the men were now receiving for six years' service what they used to get before for five; and if any one would read the letters which had appeared in *The Times* from Lord Charles Kerr and others, he would see that the present state of the Militia was very unsatisfactory, for from them it appeared that in consequence of the change in the bounty, a Militia regiment had lost half its strength. [Mr. CAMPBELL-BANNERMAN dissented.] The hon. Gentleman opposite shook his head. Would he say the statements were incorrect? [Mr. CAMPBELL-BANNERMAN: They are incomplete.] It was not very likely that a man would write a letter taking up two columns in *The Times* and yet leave his statements incomplete. He would like to ask his right hon. Friend whether he had made any inquiries as to the men in the Militia Reserve being fit to take their places side by side with the Reserve of the Line. His right hon. Friend would probably find this Reserve not as efficient as it ought to be. Then, again, Lord Cardwell proposed that an adjutant should do duty for two regiments. But could there be anything more injurious to the service than that? We were told that a man could not serve two masters. But here was a man who would have to serve under two masters, the colonels of two different regiments. Then, with regard to musketry instructors, what was proposed? The weak point of the Militia was their musketry instruction and firing, for they never had acquired in this respect the efficiency of the Volunteers or the Line; but now it was



proposed to have only one musketry instructor between two regiments, which would destroy anything like emulation between them. To have but one adjutant and one musketry instructor for two regiments would be a fatal thing and would reduce the Militia to a condition far inferior to what they were in at present, and unless proper facilities were given for carrying out practice, a serious responsibility would rest upon the Government.

MR. CAMPBELL - BANNERMAN said, with respect to the change in the Militia bounty, he had remarked that the statements on the subject, however accurate as far as they went, were very incomplete. He saw the letter signed by Lord Charles Kerr, and it appeared to him very extraordinary that an adjutant of Militia, responsible for the recruiting of his regiment, should without any representation to the War Office, have addressed such a sensational communication to *The Times*, conveying a very one-sided notion of the facts. With regard to what he had stated the other night, he had satisfied himself that the Militia recruit gained more by the arrangements with respect to the ration stoppage than he lost by the change in the bounty system. As to a certain Militia regiment having fallen from 1,000 men to 500, that could hardly be attributed to the change in the bounty system, which was announced only two months ago. The hon. and gallant Member for West Sussex (Colonel Barttelot) knew quite well that it was all along contemplated to replace the permanent staff of the Militia by officers and non-commissioned officers of Line regiments located at the dépôt centre, and that duty they could do as well for two battalions as for one, more especially when it was considered that those battalions were trained at distinct times. That, he considered, could not be deemed to be serving two masters. As to one musketry instructor for two battalions, if there was any benefit in musketry competition, which he sometimes doubted, it was desirable to have them instructed by one man. The work would be done under the officers of the Line regiment, stationed at the brigade dépôt; and in case of any clashing of time, an additional officer would have to be employed.

MR. GATHORNE HARDY said, he would at once admit the existence of a

*Colonel Barttelot*

curious difficulty as to sub-lieutenants, but it was in some degree redressed by a subsequent process. On the sub-lieutenant becoming a lieutenant, his commission was ante-dated a year or two years, according to the examination he had passed, and he would very likely thus rank above the man who had come in while he was a sub-lieutenant. That shifting, however, was not a good thing, and there were difficulties in it. He would see whether it could be put on a footing fair to both parties. It would be necessary for him to introduce a Bill respecting the pay and clothing of the Militia. At present an Act regulating this was annually passed as a matter of form, but the dispensing with this form would not affect the control of Parliament over the Force. With regard to the suggestion of the hon. and gallant Member for Kincardineshire, it was undesirable to swell the bulk of the Army Estimates, but such Returns as were desired he would endeavour to procure.

MR. CAMPBELL - BANNERMAN wished the hon. Member for Winchester (Mr. Naghten) to understand that he did not blame the Militia for not comprehending that they would gain by the stoppage of rations. The pay and clothing being fixed by Act of Parliament, it was impossible to announce the other parts of the plan simultaneously with the alteration in the term of service which Parliament had sanctioned, and on which future recruiting must be founded. Steps were taken, though unfortunately rather late, to announce what was intended, since which there had, he trusted, been no misapprehension.

*Vote agreed to.*

(5.) £78,900, Yeomanry Cavalry.

(6.) £430,800, Volunteer Corps.

COLONEL BARTELLOT remarked that the allowance for travelling expenses made to adjutants in the Volunteer service was only 5s. against 10s. allowed to be paid to adjutants in the Militia, and asked that the same allowance might be made to both parties. He regretted that the recent amalgamation of battalions had involved the discharge of many sergeant-majors. The correspondence of the adjutants was so much increased that the second sergeant-major, where there had been two, might

well be employed as an orderly-room clerk.

MR. STANLEY said, the allowances to adjutants were under consideration, and it was intended to assimilate those of adjutants in the auxiliary forces as far as possible to those in the Line. As to the amalgamation alluded to by his hon. and gallant Friend, it was intended to consolidate, because it was most desirable to avoid keeping up so many separate corps whose numbers were decreasing, and likewise to avoid the unnecessary expense of adjutants appointed when the numbers in the various corps were much higher than they were now. His right hon. Friend would endeavour to act with due regard to all parties, and to local considerations.

*Vote agreed to.*

(7.) £121,700, Army Reserve Force (including Enrolled Pensioners).

(8.) £368,100, Control Establishments, Wages, &c.

GENERAL SIR GEORGE BALFOUR, while approving the change, suggested that in future particulars of the Vote should be given more in detail.

MR. CAMPBELL-BANNERMAN, having had something to do with the transfer of these charges, explained that while the formation of a pay department had been resolved on, the scheme had not yet been submitted in a revised form to the Treasury. Next year it would doubtless be set forth in the Estimates.

MR. STANLEY stated that at an early date the proposals would be fully determined on, and the fullest information would be given hereafter.

*Vote agreed to.*

(9.) £2,960,800, Provisions, Forage, &c.

(10.) £743,100, Clothing Establishments, Services, and Supplies.

(11.) £970,000, Supply, Manufacture, and Repair of Warlike and other Stores.

GENERAL SIR GEORGE BALFOUR congratulated the right hon. Gentleman upon the great reduction which had taken place in the Vote for warlike stores, and thought that it might be reduced still lower. No greater evil could possibly happen to an Army than to have an abundance of stores of old and useless articles. He urged the desirability, on economical grounds, that an

entire separation should be made between stores for the Army and stores for the Navy. Until that was accomplished there could never be any real economy in the two branches of the Service.

MR. GATHORNE HARDY said, the principle which the Treasury had laid down in all the Estimates was this—that the Department having control of the expenditure should bring the charge into their Estimates. It struck him that when they came to investigate the subject it would be found almost impossible to separate the charge for transport, for instance, required by one Service from what was required by the other. The subject had been carefully considered, and the only safe principle appeared to be that laid down by the Treasury.

*Vote agreed to.*

(12.) £761,300, Works, Buildings, and Repairs.

COLONEL NORTH, in recommending that the houses occupied by general officers, as in Chelsea Hospital and at Portsmouth, Devonport, and Chatham, should be furnished by the Government, and that officers should be charged a percentage on the outlay, as was the case under the Admiralty, said, that nearly twenty years ago he had brought this subject under the consideration of the House, and he thought some change was necessary. Take the case of Chelsea Hospital. The governorship of that institution had been vacant three times in three years. Sir John Pennefather had told him that it cost him £1,600 to get into the house then, though he only occupied it a year and nine months. Sir Sydney Cotton had to go through the same performance, though he only occupied the house a year and eight months. He hoped his right hon. Friend would give the matter his earnest consideration, so that such anomalous cases might not recur.

ADMIRAL ELLIOT believed the country would gain very much by the alteration, which would at the same time be a great boon to officers.

LORD EUSTACE CECIL said, that the arrangement proposed by his hon. and gallant Friend might be more economical than that now existing. The subject was one of great detail; but he would give his best attention to it, and he trusted that some satisfactory conclusion might be arrived at.

*Vote agreed to.*

(13.) £135,200, Military Education.

(14.) Motion made, and Question proposed,

"That a sum, not exceeding £31,400, be granted to Her Majesty, to defray the Charge for Miscellaneous Services, which will come in course of payment from the 1st day of April 1874 to the 31st day of March 1875, inclusive."

MR. GOURLEY said, he took exception to the amount expended in carrying out the provisions of the Contagious Diseases Acts, and would move that the Vote be reduced by that amount.

Motion made, and Question proposed,

"That the Item of £6,603, for the Expenses arising from the Contagious Diseases Prevention Acts, be omitted from the proposed Vote."—*(Mr. Gourley.)*

MR. GATHORNE HARDY said, he would not detain the Committee long upon this very unsavoury and disagreeable subject, but the hon. Member for Sunderland (Mr. Gourley) had taken the extraordinary course of moving an Amendment to compel the War Office to cut off the money necessary to carry out an Act of Parliament without repealing the Act itself. Now, if there were any body bound to obey the law, it was the Government. He had made inquiry into the working of these Acts, and he had found that the cases arising in towns which were under the Act were about 9 per 1,000, while in towns in which the Acts were in operation they only amounted to about 4 per 1,000. This was a proof that something was done, and so long as the Acts were in force he trusted that the House would vote the money to carry them out.

Question put, and *negatived*.

Original Question put, and *agreed to*.

(15.) £205,900, Administration of the Army.

(16.) £34,000, Rewards for Distinguished Services.

(17.) £81,600, Pay of General Officers.

(18.) £521,100, Full Pay and Half Pay of Reduced and Retired Officers.

(19.) £146,800, Widows' Pensions, &c.

(20.) £16,300, Pensions for Wounds.

(21.) Motion made, and Question proposed,

"That a sum, not exceeding £36,100, be granted to Her Majesty, to defray the Charge for Chelsea and Kilmainham Hospitals (In-Pensions), which will come in course of payment from the 1st day of April 1874 to the 31st day of March 1875, inclusive."

CAPTAIN NOLAN, in moving to reduce the Vote by the sum of £200, said, it appeared that the Protestant chaplain at Kilmainham received a salary of £250 per annum, whereas £50 per annum was the entire sum paid to the Roman Catholic priest who ministered to the spiritual wants of the in-pensioners of his own creed. This disparity was increased from the fact that those pensioners far out-numbered their Protestant brethren. He would much rather, if the forms of the House permitted, move to increase the salary of the Roman Catholic chaplain to the same amount which was paid the Protestant chaplain; but as he could not do that, it was only by the reduction of that gentleman's salary he could bring about the equality which he wished to see established.

Motion made, and Question proposed,

"That the Item of £250, for the Chaplain at Kilmainham Hospital, be omitted from the proposed Vote."—*(Captain Nolan.)*

MR. STANLEY hoped that the hon. and gallant Member would not persevere with his Motion as he thought the salary could not be reduced under the terms upon which the hospital had been founded. Not only that, but it had been paid, without question, for a great many years, and it would be unjust to alter it now at a moment's notice. A Committee had two years ago carefully inquired into the state of the two hospitals in question, and they had recommended no modification of the salaries of the chaplains. Kilmainham Hospital afforded a great deal of relief to a large number of men who had served their country, and as regarded the question of percentage it varied from time to time.

SIR HENRY HAVELOCK said, that from his local knowledge, he wished to point out that, although the number of Roman Catholics in Kilmainham during the week might be greater than the number of Protestants, yet that on Sundays the state of things was reversed, inasmuch as the Protestant chaplain had the troops from the barracks in the neighbourhood to minister to.

MR. GATHORNE HARDY said, the case was as stated by the hon. and gallant Member who had just sat down; but even if it were not so, he did not see how the Committee could, until the next vacancy occurred, reduce the salary of the Protestant chaplain, as his was a

permanent appointment. There was no Roman Catholic clergyman holding a similar appointment, and he believed that the higher authorities of that Church in Ireland preferred that the regular parish clergyman should attend the members of his own flock. He was not sure whether or no this was the case at Kilmainham; but knowing that such was the case elsewhere he rather thought it. If it were, the salary of the Roman Catholic chaplain might be considered an addition to the resources of the parish priest in these cases.

MR. OWEN LEWIS thought that some arrangement might be come to which would be fair and satisfactory to all parties.

SIR HENRY HAVELOCK also thought that an arrangement might be come to which would meet equally the demands of all denominations by a portion of one of the numerous rooms in the hospital being fitted up for the use of the Roman Catholics on Sundays.

MR. GATHORNE HARDY said, the hon. and gallant Member had started a proposition which was entirely foreign to the Amendment. However, if a proper representation were made, he had no objection to give the matter a fair consideration at the proper time; but he trusted that the hon. and gallant Member, who had moved the Amendment, would withdraw it.

Motion, by leave, *withdrawn*.

Original Question put, and *agreed to*.

(22.) £1,158,600, Out Pensions.

(23.) £172,100, Superannuation Allowances.

(24.) £20,900, Non-Effective Services for Militia, Yeomanry Cavalry, and Volunteer Corps.

House *resumed*.

Resolutions to be reported upon *Thursday*.

Committee to sit again upon *Wednesday*.

EAST INDIA ANNUITY FUNDS BILL.  
(*Mr. Raikes, Lord George Hamilton, Mr. William Henry Smith.*)

[BILL 30.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed,  
"That the Bill be now read a second time."—(*Lord George Hamilton.*)

GENERAL SIR GEORGE BALFOUR expressed a hope that the passing of the Bill would not shut out the claims of the civilians from being fully considered.

MR. BECKETT-DENISON said, that by this Bill the Government sought to absorb the *corpus* of a fund of £3,000,000, which had been declared to be private property. The sum appeared as a book-debt, it was true; but by this Bill it would be converted into an asset. None of the annuitants would be damaged except 44 gentlemen, or their representatives, who had persistently claimed a refund of all payments, with interest, over the half value of their annuities of £1,000 per annum, paid quarterly. It was difficult, of course, to contend against the fact that the Courts had given an adverse judgment to the claim of those retired annuitants, on legal and technical grounds which excluded from consideration the equity of the claim. It would meet the whole justice of the case if the Secretary of State would introduce into the Bill a clause declaring that no class of annuitants should be damaged by the absorption of the fund, and that if power were taken by the Secretary of State to refer disputed claims of dissatisfied annuitants to arbitration he should reserve to himself the right of moving such a clause in Committee.

MR. STEPHEN CAVE said, he was aware of the claim to which the hon. Member had alluded. It did not, however go to the principle of the Bill. If there was a real case of hardship it was right that there should be an opportunity of discussing it. He would venture to advise the House to read the Bill a second time. A sufficient interval would be given for the consideration of the subject, and a clause could be introduced in Committee, if necessary.

Motion *agreed to*.

Bill read a second time, and committed for *Monday* next.

OFFENCES AGAINST THE PERSON  
BILL.—[BILL 13.]

(*Mr. Charley, Mr. Whitwell, Mr. Edward Davenport.*)

SECOND READING.

Order for Second Reading read.

MR. CHARLEY, in moving that the Bill be now read the second time, said,



that the object of this Bill was to throw the protection of the Legislature round young girls, and to save them from crime. The principle of the measure had been unanimously agreed to by the Royal Commission of 1866, and it had received the assent of the House on two former occasions.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Charley.*)

SIR HENRY SELWIN-IBBETSON believed that his right hon. Friend the Home Secretary would not oppose the second reading, but would, in Committee, move the insertion of certain clauses.

Motion *agreed to.*

Bill read a second time, and committed for *Monday* next.

INFANTICIDE BILL.—[Bill 25.]  
(*Mr. Charley, Mr. Gilpin, Mr. Holker, Mr. Edward Davenport.*)

SECOND READING.

Order for Second Reading read.

MR. CHARLEY, in moving that the Bill be now read the second time, said, that the object of it was to mitigate the severity of the punishment of this crime; and, if possible, to prevent the committal of it. The Bill was founded upon the unanimous recommendation of the Commissioners of 1866, and now an effort was made to carry that recommendation into effect. He would be glad to refer the Bill to a Select Committee.

MR. HOLKER, in seconding the Motion, said, he believed the measure to be good and useful. He would suggest that the Bill should be so altered as to include other persons than mothers of infants.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Charley.*)

MR. ASSHETON CROSS said, he would not object to the second reading; but considered that the clauses would require modification. There was a Bill of the right hon. and learned Member the Recorder of the City of London upon the larger subject of homicide before the House; and, upon the understanding that these Bills would be referred to the same Select Committee, he would offer

*Mr. Charley*

no opposition to the Motion before the House.

Bill read a second time, and committed for *Wednesday*.

HARBOUR OF COLOMBO [LOAN] BILL.

Resolution [March 31] *reported*;

"That it is expedient to empower the Public Works Loan Commissioners to make Advances by way of Loan, to an amount not exceeding £250,000, for the Improvement of the Harbour of Colombo, in the Colony of Ceylon."

Resolution *agreed to*:—Bill ordered to be brought in by Mr. RAIKES, Lord GEORGE HAMILTON, and Mr. WILLIAM HENRY SMITH.

House adjourned at a quarter before Ten o'clock.

## HOUSE OF LORDS,

*Tuesday, 14th April, 1874.*

MINUTES.]—PUBLIC BILLS—*First Reading*—Middlesex Sessions\* (22); Public Works Loan Commissioners (Loan to School Boards)\* (23); Cattle Disease (Ireland)\* (24).  
*Third Reading*—Attorneys and Solicitors (6)\*, and passed.

## ASHANTEE WAR (VOTE OF THANKS).

ACKNOWLEDGMENT OF SIR GARNET

WOLSELEY, K.C.B.

The LORD CHANCELLOR acquainted the House, That he had received a Letter from Major-General Sir Garnet J. Wolseley, G.C.M.G., K.C.B., in return to the Thanks of this House and to the resolutions of the 30th ultimo, communicated to him in obedience to an Order of this House of the said date: The said letter, being read as follows:—

"My Lord Chancellor,

"I have the honour to acknowledge the receipt of your Lordship's letter of the 31st ult., conveying to me the Resolutions of the House of Lords, thanking me and other Officers and Soldiers and Sailors who took part in the operations on the Gold Coast and the Expedition to Ashantee. It is, perhaps, needless for me to inform your Lordship how highly this great honour is appreciated by all of us. I have requested His Royal Highness the Field Marshal Commanding in Chief and the Lords of the Admiralty to signify to the Officers and Men under their command the contents of these Resolutions,"

—was ordered to lie on the Table, and to be entered on the Journals.

House adjourned at a quarter past Five o'clock, to Thursday next, half past Ten o'clock.

## HOUSE OF COMMONS,

*Thursday, 14th April, 1874.*MINUTES.]—PUBLIC BILLS—*Ordered—First Reading—Universities (Scotland) \** [67].*First Reading—Harbour of Colombo (Loan) \** [66].*Second Reading—Imprisonment for Debt [19], put off.**Committee—Report—Local Government Provisional Orders \** [62].FRANCE—THE COMMERCIAL TREATY,  
1872—BRITISH MINERAL OILS.

## QUESTION.

MR. BROGDEN asked the Under Secretary of State for Foreign Affairs, When the Award of the Mixed Commission with respect to British Mineral Oil Claims in France will be given effect to by the Government of France?

MR. BOURKE: The French Minister of Commerce and Agriculture laid on the Table of the Assembly, on the 28th of March, a Bill providing for a grant of £14,000 for the payment of claims relative to oils imported from this country. This is the latest news we have on the subject.

METROPOLIS—NATIONAL GALLERY—  
THE NEW BUILDING.—QUESTION.

MR. COWPER-TEMPLE asked the First Commissioner of Works, When the building which is being added to the National Gallery will be completed; and whether it will suffice for the exhibition of all the pictures belonging to the National Gallery?

LORD HENRY LENNOX said: I have every reason to hope that the new building will be completed and opened to the public in a year's time; and I am happy to say that, when completed, the buildings will be large enough to accommodate the whole of the National collection of pictures, including those that are now housed in the South Kensington Museum.

## METROPOLIS—VICTORIA PARK.

## QUESTION.

MR. SAMUDA asked the First Commissioner of Works, If he is aware that a notice has lately been put up in Victoria Park, near the Victoria Park Railway Station, offering to let ground in

the Park on building leases direct from the Crown; and, if such appropriation of the ground to building purposes would not be in violation of "The Victoria Park Act, 1872," and the understanding come to between the Metropolitan Board of Works and the Government to secure the Park unbuilt over for the public?

MR. W. H. SMITH in reply, said, that as the Question concerned the Office of Woods, it would be right that he should answer it instead of the First Commissioner. He had not yet been able personally to inform himself on the subject; but in the course of a few days he hoped to do so, and he would give his hon. Friend every information.

## METROPOLIS—BETHNAL GREEN MUSEUM.—QUESTION.

MR. RITCHIE asked the First Commissioner of Works, Whether it is true that one of the conditions on which the Bethnal Green Museum was handed to the Board of Works, was that the vacant space in which the Museum stands should be laid out as pleasure gardens, and permanently kept up as such for the recreation of the people of London; and, if so, what has been done in fulfilment of that condition?

LORD HENRY LENNOX said: It is quite true that one of the obligations under which the Bethnal Green Museum was in 1868 transferred from the Trustees to the Crown was that the vacant spaces around it should be laid out and permanently maintained by the Board of Works as a flower garden for the recreation of the people. Owing to some inadvertence the Board of Works was not made aware of this condition until last June; and when it was, my right hon. Predecessor, Mr. Ayrton, gave instructions that a sum of £700 should be inserted in the Estimates of the ensuing year for the commencement of the garden. Matters stood thus when I acceded to office. But, considering the uncertainty which always prevails as to the time when Estimates are voted, I feared that another year might in this way be lost. So, with the sanction of the Treasury, I ordered the works to be begun. They have been begun, and will be pushed forward with the utmost energy, so that as soon as possible the people of the East End of London will have these gardens—as is their undoubted right—finished and made available for their recreation.



## IRELAND—"COERCIVE LEGISLATION."

## QUESTIONS.

LORD ROBERT MONTAGU asked the First Lord of the Treasury, Whether he was correctly reported by "The Times" newspaper to have said at Buckingham this year, that Ireland is—

"being ruled by coercive legislation of the most severe and most stringent kind, . . . I call it severe and stringent legislation because I can find in no Coercion Acts ever passed for Ireland provisions of so severe a character as I find in the existing legislation, and which will go on until the year 1875:"

also, whether he was correctly reported to have said at Newport Pagnell,

"Ireland is really governed by the most stringent coercive Act that ever yet has existed."

"Ireland at this moment, I believe I may say, is governed by these laws, which in severity,—I am not saying that the severity is not necessary; I refrain from entering on any question of that kind,—but is governed by laws of coercion and stringent severity that do not exist in any other quarter of the globe;"

and, further, asked whether he now judges that "laws of coercion and stringent severity that do not exist in any other quarter of the globe" are "necessary" for the government of Ireland by the British Parliament?

MR. DISRAELI: Mr. Speaker—It is some time since the observations referred to by the noble Lord were made, and a good deal has happened in the interval. I have not had an opportunity of examining the report of those observations in *The Times* newspaper since the noble Lord gave Notice of his Question; but I am perfectly ready to assume, from the general reputation of that journal for its reports, that it is substantially correct. With regard to the second, or rather the ultimate Question of the noble Lord, as to whether I now judge that "laws of coercion and of stringent severity that do not exist in any other quarter of the globe" are "necessary" for the government of Ireland, the noble Lord will remark that in saying what I did—although I believe that they are probably as necessary in the month of April as in the month of February—yet, in the month of February, I gave no opinion whatever about their necessity. And I am not disposed to give any opinion now. It appears to me that it would be extremely inconvenient for a Government to express its opinion upon a subject so important as that which has been introduced to our notice by the noble

Lord merely in answer to a Question before the Orders of the Day.

LORD ROBERT MONTAGU: I should like to ask one further Question—namely, whether the Prime Minister does not think that it is part of his duty—"Order!"—to remove from the legislation of the country—"Order!"—any severity which is unnecessary, and therefore whether it is not also his duty to form his opinion upon that subject?

MR. NEWDEGATE: I beg respectfully to ask your opinion, Sir, whether it is within the understanding upon which Questions are permitted to be put in this House that questions involving the gravest subject of legislation should be thus submitted to Her Majesty's Ministers when the House has no legitimate opportunity of expressing its opinions on the replies that are given?

MR. SPEAKER: The Question put by the noble Lord was not out of Order. At the same time, the Prime Minister would have been quite entitled to decline to answer a Question of that character, as an answer might involve argument and debate.

LORD ROBERT MONTAGU: I wish to ask whether the Prime Minister declines to answer me?—"Order!"

## CESSION OF THE FIJI ISLANDS.

## QUESTION.

MR. WILLIAM M'ARTHUR asked the Under Secretary of State for the Colonies, Whether the attention of the Government has been called to a statement in the newspapers that—

"The Sovereignty of the Fiji Islands has been formerly ceded by King Thokambau to the British Crown, and that Mr. Layard, the British Consul, has accepted the cession, subject to the ratification of the Home Government;"

and, whether Her Majesty's Government have received any information on the subject, and will consent to lay upon the Table of the House all Correspondence from Her Majesty's representatives in Australia and Fiji and on the Pacific Naval Station, in relation to such cession, and also in regard to the trade still carried on in the Pacific under the name of the labour traffic?

MR. J. LOWTHER: The attention of the Government has been drawn to this subject, but they have not received an official confirmation of the telegraphic

statement which has appeared, to the effect that Fiji has been formerly ceded to the Crown. Further Papers, containing the Instructions given by the late Government to the Commissioners appointed to obtain information as to Fiji, will be very shortly laid on the Table. The Report of the Commissioners will probably be received very soon, and will have the immediate attention of Her Majesty's Government. As regards the labour trade, Papers on this subject will also be shortly presented.

#### LAND TAX—RESOLUTION.

MR. EYTON, who had given Notice to move—

"That, in the opinion of this House, the Land Tax ought to be assessed on the Poors Rate valuation thereof now in force instead of on the original valuation."

having addressed a few observations to the House which were inaudible, concluded by moving the Resolution; but the Motion not being seconded was not put.

#### IMPRISONMENT FOR DEBT BILL.

(*Mr. Bass, Mr. Cobbett, Mr. Henry Feilden.*)

[BILL 19.] SECOND READING.

Order for Second Reading read.

MR. BASS, in moving that the Bill be now read a second time, said, he hoped, considering the number of new Members who had recently been elected, that the House would allow him to sketch the history of the measure. Two years ago, at the instance of a County Court Judge of great ability and eminence, he undertook to bring this subject before the House. That gentleman—Mr. George Russell—when he entered 'on the duties of his office was an ardent advocate of imprisonment for debt, but subsequent experience had induced him to lament it as one of the greatest evils in existence. There was a discussion upon the second reading of the Bill introduced in 1872. The Bill was negatived by a majority of 102; but it was suggested by the Government of that day that a Committee should be appointed to consider this important subject, and in the early part of last Session a Committee was appointed for that purpose. He (Mr. Bass) had been accused of making that Committee an unfair one; but he was not responsible for the nomination of the Commit-

tee. The nomination was intrusted to the Gentlemen on both sides of the House who managed matters of that sort; and for himself he could say with truth that he was totally indifferent as to who its Members should be. Though he was an unworthy Member of that Committee, he might say that many of its Members were remarkable for their ability as statesmen and for their general character. The Committee, consisting of 19, sat from the 14th of February last till the 24th of July. Thirty or forty witnesses were examined, among whom were six or seven County Court Judges, the majority of whom, he believed, were decidedly hostile to the present system of imprisonment for debt by County Court Judges. But other County Court Judges took a different view, as might naturally be expected, and he believed nine out of every ten County Court Judges were opposed to this Bill. That could not be wondered at, because nine-tenths of their business consisted in the collection of small debts, and if imprisonment for debt were abolished, the services of at least half of the County Court Judges could be dispensed with. The expenses of the County Court establishments, which were paid by the public Exchequer, were £566,000 per annum; the suitors' fees amounted to £388,000; the number of complaints issued every year was upwards of 900,000; the amount sued for was £2,600,000; and the amount adjudged was £1,300,000. The House would be startled when he stated that in the 22 years which had elapsed since County Courts were established, as many as 183,000 men and women had been sent to prison for small debts claimed by "tallymen." Seventeen millions of complaints had been issued, most of them for debts under 40s. At the present time between 7,000 and 8,000 persons were annually sent to prison. It was alleged by the advocates of the system of imprisonment for debt that the commitments were generally for contempt by persons failing to comply with the order of the Court; but he had evidence to show that many men had been committed for debts of which they knew nothing whatever, and that those imprisonments were generally at the suits of Scotch tallymen, who left their own country because they could not get anything to do in it. The course pursued by those tallymen was to travel

over this country and to induce men's wives and daughters to get into debt. He ought to add that the 183,000 persons thus imprisoned in the last 22 years were maintained while in gaol at the public expense; and, in point of fact, the total expenditure upon these County Court processes far exceeded the amount recovered under them. Although a majority of the witnesses examined before the Select Committee were opposed to the abolition of imprisonment for debt, he was entitled to point out that certainly not two of them were uninterested. They were either County Court Judges or tallymen, or the representatives of trades' unions, or collectors of debts. It was an extraordinary circumstance that the tradesmen who gave credit did not collect their debts themselves. This was a separate business, and one of great emolument. Indeed, the evidence showed that as much as £3,000 a year was made by one individual debt collector. With regard to the period of imprisonment, it varied from 10 to 42 days. Some County Court Judges imprisoned for 10 days only, while others said it was no use to give a defendant less than 40 days. Now, suppose a man were summoned for a debt of £2, the possibility was that the Judge would order him to pay by instalments of 5s. If the defendant failed to pay one of these instalments, he might be committed to prison for 40 days. He believed it had been decided by the Court of Common Pleas, that no one could be imprisoned twice for the same instalment, although there was no doubt that this had been done in many instances. At all events, a debtor might be committed for each instalment, so that a person who owed £2 was liable to be imprisoned for 320 days, a system which would be worse than the law of the Romans, that a debtor should become the slave of his creditor. The only argument of any force against the abolition of imprisonment for debt was that a poor man would then, in his misfortune, obtain no credit; but it was proved before the Select Committee that such would not generally be the case, as respectable men, with few exceptions, would undoubtedly get all reasonable credit, whatever their circumstances might be. It was really only the disreputable and improvident members of society who got into debt. He might venture to read to the House some ex-

*Mr. Bass*

tracts from the evidence adduced before the Committee. Mr. George Russell, a County Court Judge, thought imprisonment ought to be done away with. Mr. J. A. Russell, County Court Judge for Salford, expressed a similar opinion, and added—

"The very best thing that could happen to a working man is that he should not be able to obtain credit as he does now."

Another witness, a County Court bailiff, said—

"The present system of credit is perfectly shocking. I have had 30 years' daily and hourly experience, and I can confidently say that there is not one case out of 100 entered in our Court where the defendant had the least reason to incur the debt or the plaintiff to trust him. The present system is a curse, and an Act of Parliament is required to mitigate the evil."

Again, Lord Derby was reported by *The Times* to have said, at a meeting held in London—

"Look for one thing at the working of the County Courts. One half of their business would be swept away at a stroke if the custom of giving credit were to disappear."

The noble Lord went on to say—

"What is the explanation of the frauds in the adulteration of articles of food sold to the poor? Why, as often as not, at least one cause is that the customer must take the article which is offered to him at the price at which it is offered."

Otherwise, he remarked, he might be "county courted" for a debt he could not pay. There was also a great deal of evidence as to the inferiority of goods supplied by tallymen upon the credit system, and among the witnesses was Mr. Commissioner Kerr, Judge of the City of London Small Debts Court, who said that one of the effects of the credit system was that inferior goods were delivered and extravagant prices charged. The County Court system had developed a large trade which was originally a pack-man's trade, but had now become a tally-shop business—or, in other words, a business for supplying wives, in the absence of their husbands, with dresses at enormous profit. Mr. Davis, the police magistrate at Sheffield, said he had no doubt that goods were sold to poor people on the tally system at prices far in excess of their value; and Mr. Wake, a solicitor, in giving his evidence, said he knew, from his experience, that goods were sold at three times their value, as, for instance, goods sold at 1s. 10d. per yard he could get at 6d. per yard, and he mentioned a case in

which a servant of his bought a shawl for 37s. 6d., while her mistress bought one exactly similar and of the same quality for 9s. The percentage derived from coals sold in small quantities to the poor was also very great. Mr. Daniel, notwithstanding his hostility to this measure, had written to him to say that the debates on the Bill had established the fact that the jurisdiction was exercised at an expense to the public out of all proportion to the extent of the evil, and that this was a wrong for which a remedy must be found. Mr. George Russell, a County Court Judge, said that 95 per cent of the persons committed by him came to him a second time, and probably the remaining 5 per cent were sued in some other County Court. One labouring man, earning 15s. a-week, had 27 complaints issued against him, the instalments of which amounted to £3 5s. a month. Mr. George Russell was of opinion that there was no doubt in the world that all men who had any pretensions to get credit would get it if imprisonment were abolished to-morrow. Mr. Davis said the same thing, and so did Mr. Wake. Now, he would ask the right hon. Gentleman the Secretary of State for the Home Department to consider who the eminent men were who had declared their hostility to the present law of imprisonment for debt. The late Lord Chief Justice of the Common Pleas, whose loss they must all regret, wrote to him insisting upon the fallacy of the present system, and offered to give evidence before the Committee on the subject. The Lord Chief Baron had assured him over and over again that, in his opinion, there was nothing in the present state of the law more objectionable than the power of imprisonment by the County Court Judges. Mr. Baron Martin had said pretty much the same thing. He had already mentioned one of the Cabinet Ministers who was decidedly hostile to this system, and he would now mention another. The present Lord Chancellor said to him a few days ago—"Personally I am decidedly of your opinion." Complaints were made to him every day of the favour that was shown to large debtors and the cruelty practised upon small debtors in regard to this point; and he doubted whether there was a man in the House who could show him that there was a single person imprisoned for debts over

£50 except for fraud. But there was no fraud in the case of these poor people, many of whom got into debt through their own improvidence or that of their wives, and yet they were imprisoned by hundreds of thousands. Now, he would ask the Secretary of State, who was one of the most eminent Members of the Committee, and one of the most regular in attendance, and who, being uniformly hostile to the present proposal, had seduced into his opinions some hon. Gentlemen, who, however, would vote against him to-night, how he (Mr. Cross) could oppose the phalanx of authority he (Mr. Bass) had quoted that evening? Why should they continue this system in England which did not exist in any other country of Europe unless Switzerland? In France they had no imprisonment for debt; in Italy they had none; in the United States they had none. England was, he believed, the only civilized country in the world of any extent where this false system continued to exist. Other countries had tried it, and had been obliged to give it up. And, with regard to Scotland, he should say that there was there no imprisonment for less than £8 6s. 8d., or one hundred pounds Scots. Why did Scotch tallymen come here? Because they could not do any good in their own country. Now he asked that men should not be imprisoned for less than £5; but if they went into Committee he would consent to go as low as £2. How did people get on in Scotland without imprisonment for small debts? It was said that there was in that country an attachment of wages to the amount of 30s. But it had been proved before the Committee that the expense of this attachment was 6s., and that the thing was so detested by both masters and men that practically it was not carried into effect. He ventured to offer this subject for the consideration of the House, and only regretted that it had not been placed in more efficient hands.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Bass.*)

MR. LOPES, in rising to move, as an Amendment, that the Bill be read a second time that day six months, said, he did so because he believed that if the measure contained in the Bill of the hon. Gentleman became law it would entirely destroy the efficiency and vitality of the



County Courts, and that would cause most serious inconvenience to the working classes of this country. In 1872, the hon. Member for Derby (Mr. Bass) introduced two Bills; the object of one was to abolish the recovery of debts under 40s. in the County Courts, and the object of the other was similar to that of the present Bill—namely, to abolish imprisonment for debt in the County Courts. The first Bill was withdrawn; but when the other came on for second reading, he (Mr. Lopes) moved the same Amendment as now, and on a division 136 Members voted against the Bill, and only 34 in its favour. Notwithstanding, the hon. Member for Derby, nothing daunted, in 1873 introduced a similar Bill, which was again opposed, and in the result was referred to a Select Committee, which sat for a considerable time, in the formation of which the hon. Member, or some one else, displayed a judicious discretion in the selection, because eight Members were placed upon it who were in the small minority of 34, and only two of the large majority of 136—namely, the hon. and learned Member for Taunton (Sir Henry James) and himself—but five others who did not vote were afterwards added to the number. In 1872, the hon. and learned Member for Taunton (Sir Henry James) strenuously opposed the Bill; but when it was sent to the Select Committee in 1873 the hon. and learned Gentleman succumbed to the blandishments of the hon. Member for Derby, and, to the astonishment of everyone, he became a most zealous and firm advocate of the Bill which in 1872 he had so strenuously opposed. The Select Committee ultimately consisted of 19 Members, but there was always a preponderance of declared votes on it in favour of the hon. Member for Derby's proposition. He had made those remarks to show the House that they must not be too much influenced by the Report of the Committee; and it was a most remarkable fact that the Bill did not carry out the recommendation of the Committee—namely, the abolition of imprisonment for debt, provided a large number of other recommendations were adopted. The Bill proposed, not the total abolition of imprisonment for debt, but the abolition of imprisonment when the debt did not exceed £5. He would explain what imprisonment for debt in the

*Mr. Lopes*

County Courts was. It was not imprisonment for the non-payment of debt; substantially it was punishment for contempt of Court in not complying with its order. A County Court Judge was not permitted to commit a man to prison unless he was satisfied by evidence that in the interval between the order for the payment of the debt and the issue of the judgment summons he had had in his possession the means with which he might have paid the debt if he had chosen to do so. Before making an order for payment by defendant, a Judge made inquiry as to his means, his domestic circumstances, his employment, his earnings, and his indebtedness to other people; and it was not until he was satisfied by evidence on these points that he made an order for the payment of the debt, either in one sum or by instalments. When the order was made the judgment was signed, and then, if the debtor did not pay at the appointed time, it was open to the creditor to take out a judgment summons. This had to be personally served upon the defendant, and it called upon him to appear before the Judge to show why he had not made payment as ordered. If the Judge was satisfied that the man had possessed the means of paying the debt, but had contemptuously refused to do so, he then had the power to order imprisonment. The practice of the County Courts, however, was even further strained in favour of the debtor. The general practice was to make an order of commitment, and to accompany it with an order that commitment was to be suspended for a week, so as to give the defendant time to pay if he thought fit to do so. In the majority of cases the debt was paid in the interval between the making of the order and the time the imprisonment would commence, which clearly showed that the prospect of imprisonment secured to the creditor his rights, and deterred the man who had the money from doing a dishonest act. And why should not a man who had the money be made to pay? Why should he be permitted to snap his fingers at the Court and at his creditor? It was said that this was a pernicious system because it generated credit, and that if we did away with imprisonment, credit would go too, and all would buy with ready money at more reasonable prices. But that pre-supposed that the working man had the money,

while, in fact, his wages were paid at intervals, and illness might supervene or he might lose his work. If the security of imprisonment were taken away, would not the tradesman, instead of lowering prices for ready money, keep them up in order to make those who paid cover his losses? Perhaps it would also be said that a man who had a good character would always get credit. That was very well in theory, but it did not work in practice. Supposing two men went to a shop, the one with a good character and the other with an indifferent character, how, he would ask, was the tradesman to know which had the good character and which the bad? Working men moved about from place to place, and where they were not known, character would not tell in their favour. It would probably be urged that it was an unjust system, because it made a great difference between the debtor who owed a small sum and the debtor who owed a large sum—that it was one law for the rich and another for the poor; and that the bankrupt who paid 10*s.* in the pound, or compounded with his creditors for even less, went free, while execution was issued against the small debtor in the County Court, and he might be imprisoned from time to time. But in reality the cases were not identical, and there was no analogy between them, because bankruptcy pre-supposed that a man had not sufficient money to pay his creditors, whom he was willing to pay, and that he handed over to them all that he possessed. The County Court proceeded on the supposition that a man had the means to pay, but did not, and would not do so, and punished him for perversely disobeying the order of the Court. A great deal had been said about the tally system. Far be it from him to advocate that system; but those who had read the evidence given before the Committee would agree with him that that system had been to a great extent unjustly maligned. The case was certainly not so black against the tallymen as the hon. Member for Derby had attempted to make out. The hon. Member for Derby talked much of the evil of giving credit to the wife behind her husband's back; but his Bill would not have the effect of preventing it. At present the recovery of a debt was not barred till after the expiration of six years; he thought it would be well that

the period should be limited to three years. But he saw no harshness in the present system, when credit was essential to the working classes, and when imprisonment was practically only the punishment awarded for contempt of Court. He would conclude by reading extracts from the evidence given before the Committee by four County Court Judges. The hon. Member for Derby had stated that County Court Judges were interested witnesses, but he could not understand how they could be so; because they honestly and sincerely conceived it to be their duty to maintain the present system for the purpose of securing the orderly and proper conduct of the business of their Courts. Mr. Worlledge, the County Court Judge of a large agricultural district including Ipswich and Yarmouth, stated before the Select Committee that, in his opinion, imprisonment for debt was necessary for the welfare of all classes within his district. An agricultural class could not subsist without credit, and if imprisonment for debt were abolished they would not be able to obtain it with the same facility as now, even if they got it at all. Mr. Yates, the County Court Judge of a district with a large manufacturing population, was of opinion that it was beneficial to the working classes, because credit was necessary to them at times, arising from a variety of circumstances. Mr. Daniel, another County Court Judge, a witness whom the hon. Member for Derby had vouched, said that credit for the necessaries of life was as essential to some classes as oxygen to the air we breathed; and the Registrar of the Nottingham County Court considered it would be a public inconvenience to abolish imprisonment for debt. Shopkeepers, he said, would not give credit if it were abolished. He further added that, after 50 years' experience, he considered it was a humane law to enable a wife to pledge her husband's credit without his knowledge, for the common necessaries of life, where the husband did not bring home all his earnings. In conclusion, he hoped the House would not read a second time a Bill which would not only be injurious to the retail tradesman, of whom, however, he did not think so much, but highly injurious and inconvenient to the working classes of the country.



Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Lopes.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR HENRY JAMES said, his hon. and learned Friend (Mr. Lopes) was quite correct in stating that he had opposed the Bill of his hon. Friend the Member for Derby (Mr. Bass) when it was introduced in 1872, and he had done so because he then took, what his hon. and learned Friend would allow him without offence to say he had now taken, a superficial view of the simple legal question, and had not treated it as a matter involving grave questions of a social and economic character. Indeed, he had carried that superficial view to such an extent that when he entered the Committee he was strongly opposed to the abolition of imprisonment for debt. He did not yield to the blandishments of his hon. Friend the Member for Derby, but he yielded to the evidence placed before the Committee, and the result was that, before the labours of the Committee concluded, he came to the conclusion that the power of imprisonment for small debts was an evil which called for a remedy, and that it ought to be got rid of altogether. He was satisfied that the great majority of the House could have no sympathy with the dishonest debtor, and there could be no wish to render him assistance in evading the obligations he had incurred. This, however, was only the sentimental view of the question, although it was invariably used as an argument for maintaining imprisonment for debt. There could be no virtue in imprisonment for debt in itself; there could be even no virtue in County Courts themselves if they were maintained as a remedy against an evil. When the hon. and learned Member for Frome (Mr. Lopes) said this was striking a blow at the vitality of the County Court, he would ask the hon. and learned Member what was that vitality? The County Court was not the forum for settling differences between litigants so much as it was a great debt-collecting office. It was used entirely by creditors who were traders, as against the honest portion of the community, on a reckless system of credit. If the evil could be

abolished by abolishing the remedy, it was surely wise to attack the remedy which fostered the evil. Regarding the question from a social and economic point of view, he did not say that credit could be abolished by any statute that might be made. It was impossible to argue that the turnover of the wealth of the country, or the capital of any man, could consist of so much metal or of so much currency. The merchant who accepted or drew a bill of exchange on a foreign country was to a certain extent dealing on credit, and this it was necessary to maintain. But that was not the form of credit which they were considering now, which was a credit given to imprisonment for debt; because they were not giving credit to an individual with whom the creditor dealt—not credit between man and man, but credit which was given to the means of recovering the debt. His hon. and learned Friend (Mr. Lopes) asked how the tradesman was to know which of two men who went into his shop was honest and which was dishonest? Well, he might not know; but what did he do now? Why he gave credit to both men, whether honest or dishonest. He gave credit, not to the character of the man with whom he dealt, but to the means of recovering what was due to him. His hon. and learned Friend said—"If you take away imprisonment for debt you take away credit." Well, that was what the supporters of this Bill wished to do; and let them see how such a thing would affect the people of this country. They had—and on this, he presumed, they all agreed—no sympathy with the dishonest debtor, though they might have with the honest one; then let them see how the dishonest debtor made the honest man pay his debts. It was proved before the Committee that tradesmen charged 25 or 30 per cent more on all their goods for credit than they would for ready money. This extra charge was borne by the honest man who paid ready money or at the end of his credit, while the dishonest man sometimes did not pay at all. Twenty-eight per cent had also to be added for the fees and costs, so that the working man, in cases where he was proceeded against, had to pay 50 per cent more than he would do under a ready-money system, and yet it was represented as a benefit to the working classes. His hon. and learned Friend

said the working man would not be able to obtain credit if imprisonment for debt were abolished. Well, in the first place, it was to be hoped that when it was abolished he would not require credit. The working man, after having obtained credit, and a judgment having been recorded against him, fulfilled his obligation by laying by and paying a certain sum per week. A witness in favour of imprisonment urged that a man earning 30s. a week had to buy a coat worth 30s., and that he could not find ready money to pay for it; but the witness admitted that for ready money it would cost 25s., or perhaps less; and it was pointed out to him that whereas buying it on credit he would have to pay 5s. weekly for seven or eight weeks to pay for it and for the costs, if he were sued, he might procure it for ready money by laying by 5s. weekly for only five weeks. He thereupon admitted that it would be a good thing to make him adopt the latter course, but pleaded that at present he would not do so. Why not? Because he had the means of doing otherwise. Surely, if it could be effected, a man had better be provident before obtaining the article than after. The Tippling Act of George II. had recently been extended to all beer-houses, so that money could not be recovered for beer drunk on the premises. The result was that the working man invariably went to the public-house with ready money, and, as he could assure the hon. Member for Derby, got as much as was good for him, while his wife went to the grocer and draper and bought goods on credit. If imprisonment for small debts were abolished, he would find ready money for the draper as well as for the publican, and would get goods at a lower price without incurring fees or imprisonment. The Committee of which his hon. and learned Friend and the present Home Secretary (Mr. Cross) were Members, had before them a County Court Judge (Mr. Russell), who was asked whether he thought the abolition of imprisonment for debt would or would not enable honest working men to obtain credit. The case of the cotton famine consequent upon the American War was mentioned to him, and he was asked whether, if imprisonment for debt had been abolished, shopkeepers who had allowed operatives to get into their debt would have been able to obtain what was

owing to them. Mr. Russell said he thought the character of the men was very well known to the local tradesmen, and all honest men would have been able to obtain credit, whilst all dishonest men would not, and he thought the latter class had much better begin in the workhouse than end in the gaol. This question and answer concisely stated the arguments on either side. It was a matter for experience whether, in the event of this imprisonment for debt being abolished, that which existed in larger dealings in the mercantile world would not also become prevalent amongst smaller dealers—namely, credit being given to men who were known to be honest, those who were not known being refused it. In 1833, a Royal Commission was appointed to inquire into this matter, and they reported to this House in 1834, and upon that Report the law which at present existed in Scotland was made. His hon. and learned Friend (Mr. Bass) had informed the House that in Scotland there was no imprisonment for debt under the sum of £8 6s. 8d., and that law was founded upon the Report to which he referred. The Commission showed that men sent to prison and brought into contact with characters of the worst description never recovered from its effect; that a remedy against the property of the creditor ought to be sufficient; that imprisonment for debt fostered excessive and reckless credit; and that creditors resorted to it for recovering debts which prudence should have prevented them from allowing to be incurred. That Report showed that the law of Scotland went further than his hon. Friend by his Bill sought to do, and the law had been found to work well in Scotland. The number of Petitions which had been presented against the Bill had been referred to; but he was afraid hon. Members were too apt to consider what would please their constituents, without looking at the question in a broad and clear light, for hon. Members had said in the lobbies of the House, "I have not considered this much, but I have heard a great deal about it from my constituents. I have two or three Petitions from them against the measure, and I am afraid I shall not be able to support it." If hon. Members would take the trouble to compare the various Petitions, they would see that one form was adopted for all,

and that they all came from the same source. One of the Petitions was presented by the hon. Member for Perth (Mr. Kinnaird), and anything that came from the hands of his hon. Friend was deserving of respectful attention. The Petition in question was from the Chamber of Commerce of Perthshire, and like all the other Petitions—for the Petition was in the same form as those which had been presented from Bristol, Birmingham, and other places—the Petitioners said that they had read the evidence given before the Select Committee, and that in their opinion a wrong conclusion had been arrived at. But the law which prevailed in Perthshire and under which those very gentlemen now existed, went further than the Bill now before the House went. What the Chamber of Commerce of Perthshire prayed in effect was that the law which existed in Scotland should not be applied to England. They would not allow the law of the two countries on this subject to be assimilated, or an Act to be passed for England which in its operation had proved wise and beneficial in Scotland. The time, he hoped, was at hand, when this question would be regarded otherwise than in a superficial manner. Hon. Members had a common object in view—namely, to benefit the poorer classes of the country, and he believed that the passing of such a Bill as that of his hon. Friend the Member for Derby would operate to their great advantage. In conclusion, the hon. and learned Member stated that he knew not whether the Bill would, or would not, be read a second time that night. The right hon. Gentleman the Secretary of State for the Home Department when sitting on the Select Committee had expressed strong views on the subject; probably he retained them now. He might throw out the Bill, but the hon. Member for Derby would eventually succeed. In the course of a life, not now a short one, his hon. Friend had performed many acts of charity towards those with whom he had come in contact; but when this measure was better understood, and when some such Bill as that now before the House passed into law, his name would be associated with greater benefits than he had ever yet conferred on individuals, for he would have done this great good towards a class—he would have rendered those economical who had hitherto been ex-

travagant and have caused men to become provident who had previously been reckless and inconsiderate in their dealings.

MR. HOLKER said, he had not read the evidence given before the Committee or the Petitions presented to the House, but he thought that without doing so one could come to a right conclusion on the subject under consideration. It was desirable, in the first place, to have a clear notion of what the existing law was. They had heard a great deal about imprisonment for debt; but, in the true sense of the word, imprisonment for debt existed no longer in this country. Formerly, a creditor could keep his unfortunate debtor in prison until the debt was paid or until his death, if he were not able to pay. The severity of that law was mitigated by various Acts of Parliament; but that which was a blot and disgrace upon our Judicial System was not finally removed until the passing of the Act of 1869, a measure of a most beneficial character, by which imprisonment for debt was totally abolished. It was not the case that there was one law for the rich and another for the poor, or that the power of sending a man to prison was confined in its operation to those who came before the County Courts. The law was that no man should be imprisoned for debt, but that dishonest debtors should have punishment inflicted upon them. Before an order could be obtained to send a debtor to prison, the creditor must show that his debtor had the means of paying, and a man could now only be imprisoned, and then only for a period of six weeks, for not paying that which he had the means of paying. Such was the law, and it related to all debtors alike, whether they owed a thousand pounds or a thousand pence. The debtor who had the means of paying, and who was sent to prison as a punishment for not paying, could by discharging the debt release himself at any time within the six weeks, and in nine cases out of ten the money was paid and the debtor did not go to prison at all. He saw no injustice in the existing law, no harshness, and indeed nothing deserving the censure which had been passed upon it by the hon. Member for Derby (Mr. Bass) and the hon. and learned Member for Taunton (Sir Henry James). The law gave to creditors of this country a certain share of security.

*Sir Henry James*

When a workman temporarily out of work went to a tradesman and asked for credit, the shopkeeper gave it either because he thought the man personally honest, or else because he knew the moment his creditor got work he could make him pay, with the alternative of summoning him to the County Court and imprisonment, if he failed to pay when he had the means to do so. The advantages of the system were, in his opinion, obvious. The workman got credit when he needed it. His wife and family were maintained while he was out of work, even though it was known that all workmen were not honest, because they had the compulsory powers of the County Court to fall back upon in the cases where debtors were able, but unwilling, to pay. There were, as they all knew, steady, honest workmen, who were not affected by the present law; but there were also thoughtless, reckless, dissipated workmen, who spent their wages in drink when they got into work, instead of supporting their wives and families. When such men found themselves summoned to the County Court, and found they could be compelled to pay, was there any hardship in that? If the present system were put an end to, the dishonest workman's family would have to go to the workhouse while he was out of work, there to be kept at the expense of the honest workman. That system was no hardship upon the honest man, who was in no way damnified by it, and what was it to him whether a score or so of dishonest workmen were sent to gaol under it, there to be kept at the public expense? The hon. and learned Member for Taunton said that the present law operated harshly upon the man of good character, who, if it were abolished, would still be able to get credit from shopkeepers and tradesmen. Perhaps in some instances that might be the case; but it must be recollected that everybody could not be virtuous, that a man could not get a good character all at once, and that it was rather hard he should have to starve in the process of getting one. Unfortunately, there were in the world plenty of persons, workmen and others, who were not honest, and who were quite indifferent to the advantage of possessing a good character, while a great many others were endeavouring all their lifetime to get a good character without

success. How were such people to be dealt with, except by compelling them to pay their debts? If the law of 1869 were repealed, as it would practically be by the passing of this Bill, the result would be that the tradesmen, in order to cover their average losses by dishonest debtors, would stick on the prices to their honest customers, and so make the good pay for the bad. He did not think that that would be a desirable result of legislation on the subject, though he confessed that if the Bill passed that was what he would do if he were a tradesman or shopkeeper. Reference had been made to the large number of the complaints brought in the County Courts by what were termed the "Scotch drapers," or "tallymen," and he confessed that he agreed with very much that had been said upon that subject. There was, no doubt, an abuse of the present law by that class; but, after all, that was less the effect of the law than of the individuals themselves who became customers to these pedlars or tallymen. If any amendment were needed, he would suggest that the limits to which these tallymen should be allowed to recover, with the alternative of imprisonment for non-payment, should be narrowed until they ceased to exist. But even as it was under the present law, a wife could not contract debts in her husband's name unless she was his agent, and the assumption was that if the debts she contracted were for necessities only that agency existed. But if the wife of a working man purchased without her husband's knowledge luxuries—say, for instance, a costly shawl—and the husband were summoned to the County Court for non-payment, *non constat* the County Court Judge would have the power of refusing to order payment. Apart from these general objections, it appeared to him that the Bill was indefensible on much narrower grounds. He could understand the Bill of the hon. Member for Derby (Mr. Bass) if it proposed at once to do away with the Act of 1869; but the proposal to apply it to debts which did not amount to £5 seemed to him to be altogether objectionable. If that were agreed to, it would afford a direct temptation to small traders to induce their customers to run up their bills to over £5, and in some cases it might be a temptation to stick an extra shilling or two on to the Bill, so as to



bring it up to £5 1s. or £5 2s. For the general and the particular reasons he had given, he should record his vote against the Bill.

MR. SERJEANT SIMON said, he should vote for the second reading of the Bill upon the grounds stated in the Report of the Committee. His hon. and learned Friend who had just spoken seemed to have ignored those grounds altogether. At the same time, he confessed that he did not think the Bill of the hon. Member for Derby (Mr. Bass) was a perfect measure. He (Mr. Serjeant Simon) thought it should have gone further and abolished imprisonment for the non-payment of a debt altogether. It had been stated that the imprisonment was not for debt, but for fraud; but it was impossible to disguise the fact that, practically, a man was punished for not paying his debts. If a man was to be punished for fraud, why was he not put upon his trial for that offence in the ordinary way, instead of being condemned in this summary manner by a Judge? He could not accept the allegation of the hon. and learned Member for Preston (Mr. Holker) that the law on this subject was equal as regarded the rich and the poor. If a man owed more than £50 he could go to the Court of Bankruptcy, and on paying 10s. in the pound, or on compounding with his creditors even for less, he obtained a full discharge; whereas the poor man, who owed a few shillings, might be sent to gaol over and over again without obtaining relief from his debt. Such a state of things was manifestly unjust. With the hon. and learned Member for Taunton (Sir Henry James) he agreed that the Bill only provided a limited remedy for a great defect. It was impossible to examine the County Court Returns without perceiving that the great mass of debts under 40s. was incurred by the reckless system of credit. No doubt four Judges of County Courts who were examined before the Committee were in favour of the present law, but three or four were strongly opposed to it, and one stipendiary magistrate gave overwhelming evidence against the present system. It was shown that the Scotch pedlar called when the husband was at work, and tempted his wife to buy a new shawl or dress. She went on paying the debt out of the house-money without telling her

*Mr. Holker*

husband, until one day the husband found himself summoned before the County Court for the debt, and then beat his wife for incurring it. Mr. Russell, in his evidence, stated that in the Manchester County Court 14,261 claims were issued in 1872. Of these nine-tenths were for sums under £5. The proportion of those under 40s. was 60 per cent of the whole, so that three-fifths of the plaintiffs were for sums under 40s. The total sum recovered was £17,963, of which two-thirds were sold by the plaintiff to the agents who undertook to recover the debts. A regular traffic went on among drapers and others in the sale of these debts, and it was proved that one firm in Derby made a considerable income by buying these debts and proceeding against the debtors. Did the Legislature keep up the County Courts in order to encourage such a system of credit-giving, and to lower and degrade the working-classes by sending them to prison? Mr. Russell stated that the cost of sending every debtor to prison was 15s. 6d., and that while there his maintenance cost 6s. per week. Mr. Leech, of the Derby County Court, said that the gross amount of debts in 219 cases was only £46 18s., while the costs were £36 4s. 6d. The fact was that the contract between a creditor and debtor was a civil contract, and that the power of imprisonment should never be invoked for its enforcement. It was calling upon the community at large to compel the fulfilment of a private contract with which they were not concerned. The expense of the imprisonment, the support of the debtor in prison fell upon the ratepayers, who were strangers to the transaction. This objection was well expressed by the Commissioners who reported in 1838 in favour of the abolition of debt by mesne process. He trusted that the hon. Member for Derby would succeed hereafter, if not now, in removing a great stain from our Statute-Book, and in making the law equal between all classes of Her Majesty's subjects.

MR. SAMPSON LLOYD wished, as a new Member, to crave the indulgence of the House while he adverted to one or two points which had either been omitted or insufficiently treated by previous speakers. If the question before the House were the maintenance of a system oppressive on the poor and not oppressive on the rich, he would be a sincere

supporter of the hon. Member for Derby (Mr. Bass); but it was because he believed that the question at issue was not chiefly or principally one between rich and poor that he ventured to oppose the Bill. If the cases of imprisonment were inquired into, it would be found that the working classes were not exclusively concerned; but that the debtors imprisoned were many of them well-to-do persons, who, having the means, dishonestly and wilfully refused to pay their just debts. It was, therefore, a mistake to argue this question as one between the middle and the working classes. The hon. and learned Member for Taunton (Sir Henry James) said it could not be expected that the evidence given before the Select Committee should be extensively read; but he could assure him that the Blue Book had been carefully read and studied by the Chambers of Commerce and Trade Protection Societies. The conclusion to which they and he had come was that it was absolutely necessary to maintain this power. The case of one person was in evidence who, although he had an income of £370 a-year, had been committed 12 times, and had paid his debt each time on the eve of going to prison. In other cases the debtors who refused to pay until ordered to be committed were a dentist paying a rental of £70 a-year, an annuitant having settled property of £110 a-year, a clergyman, and a solicitor. The Judge of a Northern County Court had told him that he was dismayed on one occasion to find 110 colliers before him, earning £7 and £8 a week, who had refused to pay, and who were on the point of being imprisoned. He said to one of the Court officials, "Why, the county gaol will hardly contain all these men!" The subordinate, however, said, "Make the order, Sir. If you do, these men will all pay." He made the order accordingly, and the debts were all paid. It was proved that these men were earning from £7 to £8 a week and that some of them were feeding their fighting dogs on butchers' meat and port wine. It was important for the House to know that those in whose behalf the hon. Member for Derby endeavoured to excite their sympathy were not working men in many cases, but dishonest members of a class above them. Imprisonment was never inflicted by the County Court Judges upon those who could not pay, but only upon those who were able to

pay and who refused. Now, he admitted he did not see the hardship of imprisoning the man who, to the satisfaction of the Judge, had the means of paying and refused to do so. It was argued with some force that the debtor above £50 had an unfair advantage over the debtor under that amount by means of the Bankruptcy Law. If the hon. Member had endeavoured to level down the Law of Bankruptcy so as to meet those cases he should have desired an opportunity of considering the clauses of the present Bill. It was, however, necessary that the just remedy of the trader should not be done away with without providing some other means of recovering small debts. The extent to which this power had been used had been much exaggerated. In one important trade at Leeds, out of 100,000 customers only 13 went to prison, and in Liverpool, out of 92,000 customers only nine went to prison; while in the same trade at Walsall the commitments were on the average a couple per annum. If hon. Members who supported this Bill inquired into the cases of the 8,000 persons who suffered annually imprisonment for debt they would probably find that the average rate of their confinement was not more than a day or two each. He would remind the House, too, that the Committee who had considered this question were anything but unanimous in the conclusion that they had arrived at, and he most earnestly hoped that the House would not abolish a remedy which had worked very well, and with the slightest possible hardship, especially as nothing was proposed to be substituted.

MR. G. CLIVE wished merely to state, as a Judge who had presided for some years over a Metropolitan County Court for a district second to none in population and importance, that the Bill was an injudicious one, and that the arguments which had been used in support of it were fallacious. Between himself and Mr. Whitmore, his successor, there were 26 years' experience of the Southwark County Court, and both Mr. Whitmore and Mr. Herbert, the Judge of the Hereford County Court, were strongly opposed to the Bill. Surely, the hon. and learned Member for Taunton (Sir Henry James) would not think of comparing the authority of Mr. George Russell, a very recent appointment, with



that of these Judges. Nothing could be more absurd than the limitation to £5, except the reason given for it. It was said that men were made liable for the debts contracted by their wives for dress without their knowledge; but then debts almost always exceeded £5. The small debts below that limit were mostly due to the greengrocer and the baker for credit given, where the wife and family had been neglected by the husband and father, or where he had been out of work. To abolish the power of imprisonment in cases of debt below £5 would be to begin at the wrong end. The present law had worked well, and it would be little short of madness to attempt any interference with its operation.

MR. FORSYTH desired to remind the House that the decision of the Committee of last year was opposed to the measure now under discussion. The Committee agreed to two Resolutions—that upon the hearing of any judgment summons, the Judge should inquire whether there were any other debts, and the debtor should be required, within such time as the Court might direct, to deliver a full and true account of all the debts due from him, and of his means of payment, and the Judge was thereon to make order for payment of the debt, either in full or by way of instalment, or by execution against the goods of the debtor, as should seem to him just. The other Resolution was that such sums of money as the debtor might be ordered to pay, and the produce of the sales under execution, should be brought into Court, and distributed rateably among all the creditors. The Committee reported that on their recommendations being adopted it would be expedient that the power of imprisonment for debt as now exercised by County Court Judges should be abolished. The hon. Gentleman the Member for Derby (Mr. Bass) did not, however, embody them in his Bill.

MR. ROEBUCK considered the question one of great importance to a large portion of the community, including not merely the interests of the trading classes, but the interests of the working men themselves. He maintained that the working classes would be materially injured if the alteration proposed by the present Bill should be carried into effect. The law was that a person who

had the power to pay, and who refused to pay, could be sent to prison once, and once only. [Several hon. MEMBERS: No, no!] He begged the hon. Members' pardon. He had before him a case in which Chief Justice Bovill and another Judge in the Court of Common Pleas had decided that a debtor could be sent to prison once and once only. [An hon. MEMBER: For the same instalment.] The case of *Jolly v. Rees* also showed that a wife could not bind her husband if he did not give her power to do so. That was the present law. ["No, no!"] The question at issue concerned working men, and he would confine his argument to them, because hon. Members who dealt with these matters affecting humanity always referred to the working men. But what was the real state of things? A working man who went to his work was not paid his wages at once, but the person who employed him kept a fortnight's wages in his hands so that he might have power over him. Then how was the working man to live during that fortnight. If they took away the power of imprisonment they took away credit. [Mr. Bass: Hear, hear!] It was strange to hear a merchant cheer that, for the whole commercial business of England proceeded upon credit. What did the working men do in South Wales during the long strike, and how did they live? They did not go to the parish. No; the trading community trusted them and gave them credit, and during those three months the working men and their families lived upon that credit which was common in a commercial community. If the power of imprisonment had been taken away, that credit would have been withdrawn, and the men would have been reduced to beggary or the workhouse. It had been said that the present course of proceeding was an expensive one. [Mr. Bass: Hear, hear!] He had in his hand a paper giving the opinions of 59 out of the 60 County Court Judges, and they were all in support of the present state of the law. It might be said that they were wedded to their power, and power was no doubt attractive, but this was very ungrateful. Their power was a very poor one; it was attended with very great difficulty, and they would be the first persons to derive an advantage from an alteration of the law. They were now bound to inquire into

the ability of the debtor to pay. It was very painful for them to send any man to prison, and he had before him the expression of opinion of a most upright and tender-hearted County Court Judge, who said that the power vested in him was a painful one, and that he should be glad to get rid of it; but knowing that the interests of the working classes and of the community were bound up in it, he gravely and solemnly urged the House not to change the law. This power was not an exclusive one. The Judges of the Superior Courts had precisely the same power as the County Court Judges; but how was it exercised by them? In the case of the latter the debtor was never sent to prison for the full term; but the Judges of the Superior Courts invariably sentenced him to the whole term of imprisonment. He (Mr. Roebuck) contended that the power now exercised by the County Court Judges was not an expensive power. In 1869, there were 562,917 County Court plaintiffs. The cost of hearing them was £446,432, less £367,136 fees, showing an actual expense of £79,296. During the same period in the Superior Courts there were tried 6,762 cases, at an expense of £180,333, less fees £95,630, showing an absolute outlay of £84,700. So that while the Superior Courts, with 6,762 plaintiffs cost £84,700, the County Courts disposed of 562,917 suits at an expense of £79,296. This showed that the cost of the County Court system was less than the other. County Court Judges, moreover, sat all the year round, and he opposed the Bill, as the first step to depriving them of their power. The operation of the County Courts was beneficial, and their power was administered wisely, carefully, and equitably. It did good not only to the mercantile community, but to the working community; and therefore he asked the House to pause before they listened to the request of the hon. Member for Derby. If this power was abrogated they would break the staff in the hands of the County Courts; they would do away with the power of credit which the mercantile community gave to the working men, and reduce them to beggary, and drive them to the workhouse.

MR. ASSHETON CROSS said, he thought it would not be right, however anxious the House was to close the debate, that they should proceed to a divi-

sion without hearing a few words on the part of the Government. But, in the first place, he begged to bear his testimony to the honesty of purpose of the hon. Member for Derby (Mr. Bass), who had charge of the Bill, and to the able manner in which he had conducted the inquiry before the Committee last year, at a time when from ill-health he was unequal to the task of undertaking the duties. No one felt more than himself (Mr. Cross) that the effect of the debtors, when imprisoned, being kept at the expense of the country was ever regarded as an injustice to the ratepayers of the country; but it must, at the same time, be remembered that by paying the expense of a few debtors, the country gained great security in the matter of recovering just and lawful debts to a very much larger amount. Every one who, like himself, had inspected gaols as a Visiting Justice, and had seen debtors undergoing no real punishment, must have desired some punishment for those who had committed frauds. He could not help thinking that a great many of the evils which had arisen, or were supposed to have arisen, under this Act of Parliament had come rather from the way in which it had been administered than from the law itself. That point was fully borne out by the evidence given before the Committee of last year, and if the Act was *bond fide* carried out in the spirit in which he believed it was intended to be carried out when it was passed, the alleged evils which had been brought before the House would to a great extent disappear. Let the House look at the protection which the law afforded the debtor. In the first instance, there must be the judgment of a competent Court that a man had actually incurred a debt—and here he could not help saying that there had been a laxity in some places in allowing a tradesman to recover against a debtor for goods which had been supplied to his family without his knowledge, and for which he was not practically bound to pay; but that was not the fault of the law, but of the administration of it. The second shield that the law threw over the debtor was that the only jurisdiction as to the payment must be exercised by the Judge and his deputy, and by no one else. It was to be exercised in open Court, and only when it had been proved to the satisfaction of the Court that the

debtor had the means of paying and had wilfully neglected or refused to do so. A great amount of evidence was given before the Committee as to what constituted in the mind of the particular Judge the real test of the ability to pay; and he (Mr. Cross) thought that if the County Court Judges would lay their heads together and frame some rules by which they might act more in harmony one with another upon that point, they would do away with a great deal of the supposed hardships of the law. Again, no order was to be made unless the debtor had had the summons personally served upon himself, and he thought that some of the evils, or supposed evils, of the Act had arisen in this way—namely, that the original summons was not served personally upon the debtor, and therefore it had happened in many cases that the man had never heard actually of the debt until the judgment summons was personally served upon him. That was a fault that might be remedied, but not in the way suggested by the hon. Member for Derby. As he had stated, the object of the existing Act was that when a man had money to pay his debts, and that fact was proved to the satisfaction of the Commissioner, an order ought to be made for payment, and that when it was proved that he had wilfully refused and neglected to pay, he should be considered guilty of fraud, and deserving of imprisonment. He believed that if any amendment was required in the present Act, it should be in that direction, and not in the way recommended by the hon. Member for Derby. The hon. Member for Glasgow (Mr. Anderson), in answer to a question put by the hon. and learned Gentleman (Sir Henry James), told the Committee that the meaning of the law as it stood was that only the dishonest creditor should suffer imprisonment; but this Bill was framed on entirely different lines, and did not seek to carry out the original intention of the Act. When the Committee discussed the question, they recommended that any amendment which should be made should be in accordance with a Resolution suggested by the late right hon. Member for the Tower Hamlets (Mr. Ayrton)—namely, that such of the provisions of the Debtors Act of 1869 as related to fraudulent debtors should be revised for the purpose of extending the same as far as might be necessary

to persons against whom an order of judgment debtor summons might be issued. The hon. Member for Derby, who had moved for the Select Committee that inquired into this subject, and had given great attention to its proceedings, had certainly neglected all its recommendations in a most extraordinary way. Apart from their recommendations in the matter of bankruptcies, he had entirely neglected the recommendation first referred to. He had also neglected the only recommendation with regard to which the Committee had been unanimous—namely, that inasmuch as the system of credit at present regulating dealings between tradesmen and persons of small means would be materially affected by the proposed changes in the law, it would be expedient that any Act which might be passed should not come into operation till a reasonable time had elapsed within which persons affected by the measure might be able to adapt their modes of dealing to its provisions. If the Bill now under consideration were passed, it would take effect immediately, and would throw the whole system of credit throughout the country into the greatest possible confusion. And how would it work in other directions? The hon. Member said, "You are not to put a man in prison for a debt of £5." Upon what principle was it possible to defend such a piece of legislation? Why should a difference be made in the case of the man who had incurred a debt of £6? What difference could there be between the one debtor and the other; and why was a shield to be thrown over one while the other was left still exposed to all the evils that were at present supposed to exist? The Bill was illogical, and he could not support it. It was also framed entirely in opposition to the recommendations of the Committee. It would also offer in its working a great temptation to both debtor and creditor to engage in improper practices. The debtor, feeling secure against imprisonment, would be easily induced to contract the small debt in the first instance. When that was done the creditor would feel it clearly to be his interest to allow the debt to run on and swell in amount until it had increased beyond the sum of £5, in order that he might then avail himself of the power of imprisonment. He (Mr. Cross) could not support the Bill; he believed it to be contrary to

*Mr. Assheton Cross*

the views of the Committee, and believed the proper remedy, and one which he should not be displeased to see adopted, would be the one suggested by the Committee—namely, the application of the Debtors Act (1869) more perfectly to the case of fraudulent debtors.

MR. BASS said, he admitted that the Bill was not logical. The Committee said they must abolish imprisonment for debt by degrees; and therefore it was that, instead of asking the House to abolish imprisonment altogether, he only proposed to abolish it in respect of debts under £5. The evils of the present system were clearly proved before the Committee, where it was shown that in some cases men were imprisoned eight times for one small debt, and the object of his Bill was to remedy that state of things.

COLONEL BERESFORD supported the Bill, on the ground that even a small instalment of reform was desirable.

Question put.

The House *divided*:—Ayes 72; Noes 215: Majority 143.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

#### UNIVERSITIES (SCOTLAND) BILL.

On Motion of Mr. COWPER-TEMPLE, Bill to remove doubts as to the powers of the Universities of Scotland to admit Women as Students, and to grant Degrees to Women, *ordered* to be brought in by Mr. COWPER-TEMPLE, Mr. RUSSELL GURNEY, Mr. ORR EWING, and Dr. CAMERON.

Bill *presented*, and read the first time. [Bill 67.]

House adjourned at  
Eight o'clock.

## HOUSE OF COMMONS,

*Wednesday, 15th April, 1874.*

MINUTES.]—PUBLIC BILLS—*Ordered—First Reading*—Parliamentary Elections (Returning Officers) \* [68].

*Second Reading*—Ancient Monuments [1], *put off*; Betting \* [4]; Married Women's Property Act (1870) Amendment [12]; Game Birds (Ireland) [37].

*Third Reading*—Local Government Provisional Orders [62], and *passed*.

## ANCIENT MONUMENTS BILL—[Bill 1.]

(Sir John Lubbock, Mr. Russell Gurney, Mr. Beresford Hope, Sir William Stirling Maxwell, and Mr. Osborne Morgan.)

### SECOND READING.

Order for Second Reading read.

SIR JOHN LUBBOCK, in moving that the Bill be now read a second time, said, that our ancient national monuments were rapidly disappearing, yet they were seldom destroyed because they interfered with any important improvement, or any great engineering work; on the contrary, they were generally demolished for very trifling reasons. The tumuli, or burial mounds, though each was, as a rule, the burial place of one Chief, contained not only his remains, but also those of the animals killed in his honour, and he feared in many cases of the wives and slaves sent to accompany their lord and master to the land of spirits. Under these circumstances, the earth of which they were composed was generally somewhat richer than the average, and was often carted away, therefore, to be used as manure, while the megalithic monuments were broken up to serve as gateposts, or even to mend the roads. Some time ago, there were near Marlborough three dolmens of sufficient magnitude to be marked on the ordnance map of England. The year before last he went down at Easter to visit them—one he found was still safe; the second, he was informed, had recently been removed by the occupier of the farm, because it interfered with his ploughing; the third was actually being broken up to mend the roads. In another case, a great Irish nobleman had given orders to build a wall round a field which contained the remains of Con O'Neill's Castle at Castle-reagh, his object being to protect the ruins; but the agent pulled down the old castle and used the stones to make the wall. Abury—or Avebury—itsself, the year before last, had a very narrow escape. Speaking of it, one of our old antiquaries said that Abury "did as much exceed Stonehenge as a cathedral doth an ordinary parish church," and though the monument was not now nearly so perfect, a large number of the gigantic stones having been broken up for the sake of a profit, which after all did not amount to more than a few



shillings, still even now there was perhaps no more remarkable monument of the kind in this country, or even in Europe. The year before last, however, a considerable part of the site was bought by a building society, lotted out in sites for cottages, and actually sold in small plots for this purpose. Fortunately, however—thanks mainly to the efforts of the rector, Mr. King, and Mr. Kemm—the villagers were persuaded for a small consideration to exchange their allotments for others in the next field; which, in fact, was just as convenient for their purpose, and thus, as he was enabled to purchase the land, the threatened destruction of the remains at Abury was fortunately prevented. Now in this case, again, no appreciable advantage would have been gained by the destruction of these remains, and yet they were saved, so to say, by a mere accident. He would take one county alone in illustration. In Dorsetshire, a stone circle near East Lulworth had been entirely destroyed; four dolmens had been demolished; the Roman camp at Banbury had almost disappeared, and so had that on Hod Hill, which, according to Mr. Warne, was “an unique example of Roman military skill.” It would, alas, be only too easy to quote many other examples, but he was reluctant to occupy the time of the House by doing so, especially as he held in his hand a letter from Earl Stanhope, the President of the Society of Antiquaries, in which he stated that these ancient monuments were rapidly disappearing. He might also add that Petitions expressing the same opinion, and in favour of the Bill, had been presented to this House from, he believed, every archæological society in Great Britain and Ireland. It might be said that there were now many persons all over the country who were much interested in archæology, and that we might safely leave in their hands the protection of these ancient monuments. But they all knew that what was everybody’s business was nobody’s business, and it was desired, therefore, by this Act to create a body of Commissioners especially charged with the protection of our ancient monuments. The Commission proposed would consist of the Inclosure Commissioners, the Master of the Rolls, the President of the Society of Antiquaries of London, the President of the Society of Antiqua-

ries of Scotland, the President of the Royal Irish Academy, the Keeper of the British Antiquities at the British Museum, and seven Commissioners to be nominated in the first instance in the Act, and subsequently by the Crown. In the Schedule of the Bill was a list of the best preserved and most typical examples of the various classes of monuments, selected, as regards England and Wales, by the Society of Antiquaries; as regards Ireland by the Royal Irish Academy; and as regards Scotland by the Society of Antiquaries of Scotland. Moreover, by the 3rd clause of the Bill the Commissioners were empowered, on giving proper notice, to apply the Act to any other ancient monument. After receiving such notice, if the said owners or occupiers wished to destroy or injure the monument, they must first communicate with the Commissioners, who would thus have an opportunity of acquiring or preserving the monument. It was proposed that the price to be paid should be determined under the provisions of the Defence Act passed in 1860 with reference to land required for the purposes of fortification. These provisions had been already sanctioned by Parliament, and it was therefore unnecessary to enlarge upon them. Of course, if the Commissioners did not act on these powers, the owner or occupier would be free to deal with the monument as he pleased. It would be observed therefore that, unless the owner of any monument wished to injure or destroy it, this Bill would not in any way interfere with him. It deprived him of nothing but the childish pleasure of destruction. All that was asked was, that if the possessor of a national monument proposed to destroy it, he should first be required to give the nation the option of purchase at a fair price. This was, surely, not unreasonable. It was merely applying the principles already sanctioned by Parliament in the Defence Act, and, indeed, in every railway Bill. The Bill also provided that the Commissioners should report annually to Parliament as to the state of the monuments under their control. Last year the then Government agreed to the second reading of this Bill, on the understanding that the money which might be required to purchase any monument under the provisions of the Bill should be raised privately. He hoped, however, that this would not be

*Sir John Lubbock*

insisted on. The House of Commons had always shown a liberal spirit in such matters; it had voted without a question considerable sums to carry on archæological researches in other countries, and gave ungrudgingly the supplies necessary to maintain the British Museum on a scale worthy of a great Empire. In the British Museum one of the principal offices was the Keepership of the British Antiquities, now so well filled by Mr. Franks. But the truth was that the most interesting British antiquities could not be placed in a museum; these were the monuments which the House was now asked to protect on the spots where they had been erected by our forefathers. The principle that it was our duty to maintain national monuments had already been admitted. In the 25th clause of the Irish Church Act—a clause passed, he believed, without any difference of opinion in this House—it was enacted that when any church or ecclesiastical building deserved to be—

“Maintained as a national monument by reason of its architectural character or antiquity, the Commissioners shall by order vest such church, building, or structure in the Secretary of the Commissioners of Public Works in Ireland, to be held by such Secretary, his heirs and assigns, upon trust for the Commissioners of Public Works, to be preserved as a national monument, and not to be used as a place of public worship, and the Commissioners shall ascertain and by order declare what sum is, in their judgment, required for maintaining as national monuments the churches, buildings, or structures so vested, and shall pay such sum accordingly to the said Secretary, to be held upon trust for the said Commissioners, and to be applied by them in maintaining the said churches, buildings, and structures.”

To prevent any misunderstanding, moreover, he might observe that this Bill would involve no large expenditure. Many of those monuments were highly valued by their possessors, and would certainly not be offered to the State, while those which were purchased would be acquired under the provisions of the Act at a fair valuation, and not at a fancy price. In fact, they would rather be an investment than an expense, and, moreover, the amount would be under the control of the Treasury and of this House. There was also no question that, as far as many purchases were concerned, the money required would be raised by public subscription. As regarded the Schedule to the Bill, the object had been to select the best and most typical examples of each class, and

although it contained the names of those gentlemen who were the owners of the remains, yet it would not, he hoped, be for a moment supposed that the monuments scheduled were regarded as in any special danger. He trusted, therefore, that the owners of the monuments scheduled would not regard this measure from a hostile point of view, but would rather congratulate themselves as the fortunate owners of monuments which, if this Bill passed, would be declared by Parliament as of national interest. English travellers frequently made severe remarks on the manner in which, especially in Oriental countries, ancient remains were allowed to go to ruin, or used in the construction of modern buildings. Sir Gardner Wilkinson remarked of the great statue of Rameses II. that “when the Turks have burnt it for lime, it will be regretted;” and it was said that the preservation of the ancient walls of Constantinople was due to the influence of the British Ambassador. But surely our first duty was to preserve the ancient monuments of our own country. Moreover, though he was unwilling to occupy the time of the House by describing what had been done elsewhere, he might be permitted to mention that the Turkish Government had recently purchased a portion of the Hill of Hissarlik, supposed by many to be the site of Troy, and placed it at the disposal of Dr. Schliemann, who had been carrying on extensive archæological researches. Holland, also, had purchased the greater number of megalithic monuments remaining in that country, and Denmark had in the same manner acquired for the nation a number of the most typical examples. The late Emperor Napoleon spent a considerable annual sum in this manner; and, moreover, in the great museum which he founded at St. Germain had admirable models of French monuments—an example which deserved to be commended to the trustees of the British Museum, and to his right hon. Friend the Member for the University of Cambridge (Mr. Spencer Walpole). He had seen it stated that this Bill was one which ought to be in the charge of Government—that it was of too important and novel a character to be undertaken by a private Member. No one could feel that more than he did; no one could desire more sincerely to see it in



abler and more experienced hands than his. At the same time, he had been fortunate in securing valuable assistance from hon. Friends whose names were on the Bill, and whose ability and experience none would question. He would now leave the Bill in the hands of the House. He had shown that these monuments were rapidly disappearing; that they were destroyed for the slightest, the most paltry, the most trivial of reasons; that they might be preserved at a very small expense, and by the application of principles sanctioned over and over again by Parliament. These ancient monuments were the unwritten history of our country in times long gone by; some of them were connected with important events in our annals; the origin of others was lost in the remote past. Some were doubtless ancient, even at the period which the right hon. Gentleman lately at the head of Her Majesty's Government called *Juventus Mundi*. He could assure the House that in Committee they would welcome any suggestions and improvements. What they did ask, in the name of all those who loved and revered the past and the memory of our ancestors, was, that the House, by passing once more the second reading of the Bill, would re-affirm the principle that the preservation of these monuments was a national duty, and that they ought not to be allowed to perish. The hon. Baronet concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir John Lubbock*.)

MR. BENTINCK, in moving, as an Amendment, that the Bill be read a second time that day six months, said, he thought that this was a Bill which would have had more chance of passing in the late than it had in the present Parliament, that former Assembly being so much used to the practice of spoliation by legislation, that probably a measure of the kind under notice would have excited little, if any, surprise. He trusted, however, that a different feeling pervaded the present House of Commons. He could not help thinking that the Bill might fairly be described as coming under the head of measures of spoliation, and he was therefore surprised to see that it was endorsed by his hon. Friend the Member for the University

of Cambridge (Mr. Beresford Hope), who was well known not only for his support of all objects connected with science and art, but also for the equity of all his dealings. It could not have been by his hand, however, that the Bill had been framed. That work must have been done by persons whose consciences were as broad as the acres they proposed to appropriate. The hon. Baronet the Member for Maidstone (Sir John Lubbock) by disclaiming any intention of invading the rights of property, had shown that he was aware of the exceptional character of the Bill, and it was easy to show that the measure would be a distinct invasion of the rights of property. In the first place, the wording of it was so comprehensive as to include everything. It applied, for example, to any tumulus or mound—in other words, to anything which rose above the level of a flat surface. Then it referred to "excavations," which might mean any hollow in the land; and the words employed might be taken to include any piece of masonry whatsoever. By the 9th clause, moreover, it was proposed to give the Commissioners certain powers of a most extraordinary character. It provided that when a power of restraint was vested in them in respect of any monument, they, or any of them, or any person authorized in writing by any of them, might at any time between sunrise and sunset enter and inspect the monument and all parts thereof, and might, in case of necessity, break open any doors or inclosure preventing access thereto, without becoming liable to any action or prosecution for trespass or otherwise. Putting that into plain English, it meant legalizing a burglary by daylight. Moreover, it was made penal for the owner to defend his property against such attacks. Was it possible to conceive anything more utterly at variance with the commonest rights of property? Would the House of Commons sanction the placing of such powers in the hands of any body of men, no matter who they might be? It was proposed not only that any of the Commissioners should possess the powers in question, but that they should be at liberty to appoint other people to exercise them; and perhaps it would be fitting, if the measure were passed, that they should choose for the purpose some of the most experienced burglars that

*Sir John Lubbock*

could be found. Not only was it desired that the Commissioners should have the power of obtaining possession of ancient monuments, but it was further proposed that they should be at liberty to pass the property to others. They were to be enabled to transfer their powers of restraint or the possession of any monument to any local authority. Then, they were not to be liable to pay any rate or assessment in respect of such property. It was hard to tell on what principle this exemption could be justified. Indeed, property that was esteemed so valuable ought, perhaps, to contribute more than any other to meet the requirements of the State. There was another exemption which it was difficult to explain—namely the exclusion of monuments in the Duchy of Cornwall from the operation of the measure. With regard to the Bill as a whole, any hon. Member who took the trouble to read it could not fail to see that a more distinct and determined invasion of the rights of property could not have been devised. The powers sought by the Bill were such as ought not to be conferred on any Commissioners, especially by a Bill in the hands of a private Member; and for that reason he should move its rejection.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Bentinck.*)

MR. BERESFORD HOPE said, it was with grief and disappointed feelings he had listened to the observations of his hon. Friend who had just sat down, with whom in the last Parliament he had often taken sweet counsel, and he thought his hon. Friend had not come back to this Parliament the man he was in the last. His hon. Friend who had just spoken said the last House of Commons was a House of Spoliation; but his hon. Friend himself was vitiated by the spirit of the last Parliament, for by the course he had pursued he had tried to advocate the most unblushing, the most extravagant system of spoliation, that even he (*Mr. Bentinck*) could conceive. This was a Bill to protect, against the ignorance, it might be, of a proprietor, but more often of tenants, bailiffs of owners of property, and ignorant labourers, property of national interest which might be of priceless

value. His hon. Friend evidently had not read the Bill, because his main argument, which produced much merriment on the back benches on the Ministerial side of the House, was that it was a wrong thing to prevent a man enjoying that which he had purchased with his own money. He said the 9th clause would enable the Commissioners to commit burglary; but the fact was, that the clause would simply enable the Commissioners to obtain access to monuments which they had purchased. He (*Mr. Beresford Hope*) appealed to the House not to run away with the idea that this Bill would sanction an invasion of property. No man in the House was less likely than himself to support a wanton invasion of property. When his hon. Friend the Member for Maidstone (*Sir John Lubbock*) asked him to put his name on the back of the Bill, he, of course, read it very carefully, and if he had thought the principle of it was unjust he would never have put his name on it. The Schedule might go too far, or, as he thought, did not go far enough, and the Bill might be improved in Committee; but all that was asked now was that the principle of the Bill should be affirmed by reading it a second time. That principle was simply protection of valuable property against ignorance and wrong-headed spoliation, and if the Government refused to furnish the necessary funds let them see if private funds could not be made sufficient. If the Bill passed, the owner of a mound, or whatever it might be, would continue to hold his property, but he would have parted with the destructive ownership of his property for valuable consideration. Let it not go forth to the educated world that, notwithstanding the exuberance of their wealth, they were the only people in Europe who were careless of that great inheritance—the historical monuments which had come down from their predecessors. He appealed to the Treasury Bench, at all events, to allow the second reading of the Bill.

SIR GEORGE JENKINSON, in opposing the second reading of the Bill, said, he did not think it ought to be allowed to pass without very careful consideration. Of course they all accepted the principle that the ancient monuments in the Kingdom should be preserved, but this Bill proposed to deal with ancient monuments in a way which he thought

was an invasion of property at the expense of the taxpayers. He said that he was induced to make a few remarks on this matter, because out of the 29 monuments in the Schedule, six were situated in the county he had the honour to represent. If a Bill on this subject was necessary, it ought to be a Bill for which the Government were responsible; because if private rights were to be invaded at the expense of the public, rates would have to be imposed, and that should be done only on the responsibility of the Government. He could not see, further, why any man in possession of an estate or farm with private rights should be called upon to show cause why his land should not be dealt with as anyone else might think proper. Then, again, the Duchy of Cornwall was exempted from the operation of the Bill; but if the Bill was not good for the Duchy, how was it good for the rest of England? The ratepayers were at present heavily burdened. He was against saddling them with a new burden, which might be very large or not, according to the wishes or fancies of a number of gentlemen to be appointed in pursuance of the provisions of this Bill.

MR. MITCHELL HENRY said, that although he hoped the House would assent to the second reading, yet he was of opinion that the Bill did not go far enough. There were many ancient monuments in Ireland, both historical and ecclesiastical, which were well worthy of national preservation, and great exertions had been made by a small number of private owners to preserve Pagan and Christian monuments in that country. He was sorry that the Bill did not come down to later times, and include the preservation of those monuments which belonged to the Christian era. In some instances they had experienced great difficulty in obtaining access to such monuments. One difficulty connected with their preservation was, that many of them belonged to absentee proprietors who lived in England and Scotland, and who cared very little what became of the national monuments in Ireland. If the House were to wait till the Government brought in a Bill on this subject, it might wait till the Greek Kalends, for it was invariably the practice of all Governments never to take up a question of the kind until they were urged to do

so by private Members. With regard to the alleged expense, he did not believe that the people of this country would object to the expenditure of the small amount necessary for the preservation of historical monuments of national importance.

MR. WALTER said, he regretted that he was unable to vote for the second reading of the Bill, as he was as anxious as his hon. Friend the Member for the University of Cambridge (Mr. Beresford Hope) to do whatever could be done to protect really national monuments against the encroachments of modern Vandalism. The Bill, however, appeared to him to be founded upon no logical or consistent principle. Why did it stop short at the monuments of Saxon times? The hon. Member for Galway (Mr. Mitchell Henry) had said with great justice, that in Ireland there were many ecclesiastical as well as other historical monuments of great value. Why, so there were in England. The country was covered from one end to the other with the noblest and most interesting specimens of ecclesiastical architecture, such as Tintern, Fountains Abbey, Melrose, and Rivaulx, which could vie with any in Europe. Take such a monument of antiquity as the old Kitchen of Glastonbury? Which was the better worth preserving—such a building as that, or some one of the innumerable barrows on Salisbury Plain, any of which might come into the power of the proposed Commissioners? No one would go further than himself in denouncing any wanton abuse or desecration of such monuments as these; but was the House prepared to go the length of protecting them? If so, it was clearly a matter far beyond the scope of private legislation, and one which the Government ought to deal with on its own responsibility; and if he believed there was any serious danger of these magnificent monuments being swept away, he would not deny but that it might be the duty of the Government to interfere. If they thought fit to do so, he would go the length of supporting the Government in any proposal they might bring forward upon the subject. He would remind the House that only a few years ago a subscription was raised in this country to prevent Shakespeare's house being deported to America. Which was the more worthy of the protection of the

State—the house in which Shakespeare lived, or some ancient barrow which probably few people cared about? But even the Schedule of the Bill, as it stood, was most imperfect. It professed to deal with Roman memorials. Where was Silchester mentioned—one of the most perfect and extensive of the remains of Roman empire in this country? The Duke of Wellington—to whom it belonged—was at the present moment engaged in carrying on considerable excavations on the site of that ancient town. Extensive pavements had been discovered—the site of the Forum and Theatre laid bare, and the foundations of the principal gates of the town uncovered. It would be a reflection upon the spirit and enterprise of such proprietors, who were doing so much to discover and preserve the monuments of antiquity, if the work were taken out of their hands and vested in a body of Commissioners. There might, indeed, be this absurdity involved in the interference of Parliament to preserve our ecclesiastical monuments, that it might be said that one Parliament was interfering to preserve the very ruins which a former Parliament had created. That argument, however, would not weigh with him, if he thought it necessary to legislate at all on this subject. The present Bill, however, was one of so lame and impotent a character that he could not give it his support; and, unless its promoters were prepared to go into the question upon a much larger scale, the House could not interfere, and he must, therefore, support the Amendment.

MR. J. LOWTHER said, he was surprised that so consistent an advocate of Home Rule as the hon. Member for Galway (Mr. Mitchell Henry) was not prepared to allow that principle to begin at its logical commencement—namely, the right of every person to rule in his own home. If he did so, he would allow owners of property in Ireland to deal with it themselves, and not be prepared to hand over the ancient monuments of that country to persons some of whom might come under the designation of the “cursed Saxon.” He (Mr. J. Lowther) contended that this measure ought not to be proceeded with except in the form of a private Bill, and he wished to draw the attention of hon. Gentlemen to the serious departure the

hon. Baronet the Member for Maidstone (Sir John Lubbock) had now invited them to make from the generally established principles upon which legislation had hitherto been conducted in Parliament. When the hon. Baronet proposed last year a measure almost identical with the present one, he (Mr. J. Lowther) put down the following Amendment:—

“That it is contrary to the usage of Parliament that a measure should be proceeded with in the form of a Public Bill which deprives any individual of his private rights in his estate (named in the Bill), without notice thereof being duly served upon him, and without an opportunity being afforded him of being heard against the same.”

It had always been the practice of Parliament to protect the private property of Her Majesty's subjects in the manner to which he had referred. The Bill, however, provided that there should be an appeal to a tribunal which had never yet been recognized by the House of Commons—namely, a tribunal other than Parliament itself. He thought the House would hesitate long before it departed from a practice which it had invariably pursued as to private property. He agreed it was desirable that objects of antiquity and interest should be preserved; but there were other objects which deserved, at any rate, equal consideration at their hands, one of these being an institution as old as Julius Cæsar, and far older than any of his supposed encampments—namely, the rights of property. With reference to the rights of private property, the following was one of the Standing Orders (No. 20):—

“On or before the 15th day of December immediately preceding the application for a Bill by which any lands or houses are intended to be taken . . . application in writing shall be made to the owners, lessees, or reputed lessees and occupiers of all lands and houses so intended to be taken,” &c.

Had notice been given in pursuance of that Standing Order to the persons whose property was affected by the Schedule? He was acquainted with the owners of some of the property mentioned in the Bill, and, so far as he was informed, they had not received notice. The 3rd clause provided that—

“this Act may be applied to any monument which is, in the opinion of the Commissioners, of the like kind to any monuments specified in the first Schedule.”



The Schedule, therefore, was a mere delusion. It appeared that all property throughout the country was included in the Bill. Of what use was it, or why have a Schedule at all if the Schedule was not to intimate to persons whose property was affected by it that they and none other were the persons included in the Bill? The Bill, he owned, was full of good intentions, so full of them, in fact, that he felt some doubts as to whether serious depredations had not been made upon the pavement of a certain locality; but for all that, he hoped the House would not interfere with the rights of private property in the novel manner proposed by the Bill, and he should therefore support the Amendment.

MR. BROMLEY-DAVENPORT said, he should like to know the meaning of the Bill, for he thought it was one of the vaguest ever brought before the House. What did it purpose to do? So far as he could see or understand its scope neither the living nor the dead were to have any rest. He saw nothing in it which would prevent the Commissioners from coming to any hon. Member's churchyard and disinterring his grandfather, for under the large provisions of the Bill the Commissioners would have the power to open any tomb. The Bill, moreover, might have the effect of increasing the burdens of local taxation, and that ought not to be lightly done, and for those reasons he should vote against the second reading.

SIR EDMUND ANTROBUS said, that he should have taken small exception to the Bill had the operation of it been confined to the monuments named in the Schedule: but the Bill would do a good deal in addition to what was indicated by the Schedule. For instance, there was not a person living on Salisbury Plain who would not be liable to be called upon at any time to defend his property against the attacks of these Commissioners, and it was this that he objected to. It was also a departure from the ordinary practice of the House to authorize the invasion of the rights of private property by such a body; but to that he should not have any particular objection, if it were not for the unqualified and unrestricted power it was proposed to confer. If the Bill as it stood were put into operation, he did not believe the farmers in his neighbour-

hood could carry on their business, for it was supposed to be rich in ancient remains; and most extraordinary power was given to the Commissioners under the clause which related to British, Celtic, Roman, or Saxon remains. Then, again, how would the Bill operate in the City of London? Suppose that some ancient remains were discovered in digging the foundation for a building to be erected on a site worth, perhaps, half a million of money? Perhaps the excavators might come upon a Roman pavement, or something of that description; the Antiquarian Society would step in, and then the Commissioners might exercise the power with which they were invested by the Bill. They might stop building to any extent in any locality, and inflict upon persons an amount of injury which it was scarcely possible to estimate. He admitted that cases of this kind were not treated as they were in the Bill of last year, by which exemption from costs and penalties was secured to the Commissioners. If the principle of the Bill was to be applied in the manner he had indicated, the question would arise, how far was it to be carried? Was there in England a gallery which would be safe from interference? It might be said that every object of ancient and modern art was entitled to preservation; but it could not be desired that each article should be abstracted from private galleries. In this respect, at all events, it would be wise not to admit the thin end of the wedge. As long as these objects were in the hands of private owners, they would in most cases be safer than they would be if they once became public property. Some of the ancient barrows, through having been first rifled by antiquarians, had been carted away and levelled by farmers; and if the notion of private property in monuments was weakened, we should find owners and tenants protecting themselves by measures of this kind. A friend of his found a gentleman on his property using hammer and chisel, and his friend, on remonstrating, was asked—"By what right do you interfere?" He replied—"I interfere first on public grounds, and secondly as one having a vested interest in the property;" and the rejoinder was—"Right of property! I always thought it belonged to the public." It was on that assumption that the man was about to take away a

portion of it. For himself, he believed it was the antiquarians who had done most mischief in England: and if the ancient monuments were placed in their hands they would do still more. Stonehenge had been owned by a relative of his who was asked to give his consent to an investigation which would have involved digging to a considerable depth. He said to his relative—"You are the custodian of the place; whatever happens, you are responsible, and will be held responsible by the public; if you allow an investigation of this kind to be made in this chalk soil you will have every stone about your ears; and what will the public say then?" His relative pleaded that the application was made by great archaeologists; but he still urged—"It is to you that the public will look," and therefore advised him to refuse. The refusal was accordingly given, although the letter of application bore the name of "J. Lubbock." If the hon. Member for Maidstone had carried out the proposed investigation, he would have levelled Stonehenge. ["No, no!"] The hon. Member for Galway (Mr. Mitchell Henry), who said "No," did not know the soil; it was not like Irish soil. You could not force your way under chalk, and the attempt to do what was proposed would have levelled the stones to the surface of the soil. He did not believe in handing everything over to antiquarians; some monuments were safer in other hands, where he hoped the House would permit them to remain. In *The Times* there had appeared a letter, in which the discomfiture of the late Government was attributed to the insufficient regard paid to the rights of private property, and it was a singular fact that the initials appended to that letter were the same as those of a gentleman whose name was on the back of this Bill last year—namely, "E. P. B." (Mr. Bouverie). The warning contained in the letter should be applied to this Bill, and feeling the justice of it, he was compelled to vote for the rejection of the Bill.

THE CHANCELLOR OF THE EXCHEQUER said, before the House went to a division, he wished to call serious attention, on behalf of the Government, to an important deviation involved in the measure under notice from the constitutional practice and principle underlying the conduct of Public Business in this

country, which was that Votes of public money should be proposed only by responsible Ministers of the Crown. That was a principle on which too much stress could not be laid, if any regard was to be paid to public economy. In America, some years ago, he was struck by the effects of an opposite practice. In Congress, there appeared to be too great a facility for independent Members to get up and propose Votes of public money, and that led to great extravagance in many cases. Anybody who had watched the way in which measures involving expenditure were brought forward and discussed in Parliament must feel that any step which relaxed the exclusive power of the Ministry to propose Votes of public money ought to be viewed with very great jealousy. The attention of new Members might not have been directed to the fact that the 11th clause of the Bill was printed in italics, and the reason of that was that independent Members, like the hon. Baronet the Member for Maidstone (Sir John Lubbock) in the present case, had not the power to introduce Bills which proposed that grants should be made from the Treasury, and if this Bill were to become law, it would be necessary that the Government should consent to propose Votes in Supply for the purpose of supplying the required funds. The reason why that initiative was reserved to the Ministers of the Crown was obvious. It was their duty, when a proposal involving expense was made, to investigate the grounds on which it rested, and to consider carefully what were its limits, and whether the Government could undertake to recommend its acceptance to Parliament. If it were desirable that anything should be done in the way of more systematically preserving our ancient monuments, if there should be a public Commission to protect them, and if it were desirable that any expenditure should be incurred, the safest, best, and most proper manner, therefore, would be to bring the subject under the notice of the Government, and let them investigate it, and bring in a measure to effect the object. He quite agreed with the hon. Member for Galway (Mr. Mitchell Henry) that questions of this kind were often initiated by private Members; but that Bill went further, for its main object was that in all the proceedings taken under it, public money should be



provided, and that the proceedings of the Commissioners should be liberally supported by contributions from the Treasury. He was far from saying that it was not for a private Member to draw attention to such a subject; but, that having been done, it was desirable on many grounds, especially financial grounds, and perhaps to some extent on that of the interference with the rights of private property, that any measure which might be introduced should be in the hands of the Government rather than in those of a private Member. The hon. Member for Cambridge University (Mr. Beresford Hope) said—"After all, this is a question of detail; let us vote the principle of the Bill, establish a Commission, and see what is to be done, and if the Government will not agree to a grant of public money, let us see if we cannot do without it." He did not think they could treat the measure in that way. Last year, when a similar measure was discussed, the then Government rather favoured such a course; he thought the Home Secretary last year said the Government could not assent to the application of public money to the purpose, but they were not unwilling to consent to the second reading with the idea that some other means of providing the funds might be adopted. But a Bill resting upon the principle of a Commission, which was to be liberally supplied with public funds, and a Bill resting upon the principle of a Commission which was to find funds in some other way, were totally different things; and it was not affirming the principle of this Bill, if they agreed to it on the understanding that the Commission was not to be supplied with public money. If a Bill were under discussion which made no reference to the mode in which the funds were to be provided, it would have to be considered how compensations were to be made, and a good deal of jealous criticism would be expended upon the proposal. There was also an indication in the Bill which would very much alarm hon. Members, even more than the Bill as it stood seemed to do, if the idea of Government liability should be given up. The 16th clause provided for the transfer of monuments in certain cases to local authorities. If there were no funds provided by the Government, and if the Commissioners had to find the funds as best they could,

they would, in many instances, have no other way of meeting the cost than by inducing local authorities to become possessors of those objects. Hon. Members who might be disposed to trust a body of Commissioners, such as those named in the Bill, not to annoy private proprietors by the use they might make of the monuments of which they took possession, would feel a little jealous if the monuments were to be placed in the hands of local authorities. The only possible way, therefore, in which the Bill could be made acceptable was by accepting the principle of a liberal subsidy from the Treasury; for all chance of the avoidance of difficulties between those who were anxious to preserve monuments, and private proprietors who would feel that their rights were endangered, rested upon the principle that there should be a provision out of the public funds for the purpose. If the Bill were assented to, then inquiry would have to be made as to the extent of the responsibilities it would involve, and with regard to that point, there seemed to be no limit to the applications which might be made under the Bill. If British, Roman, and Saxon remains were to be preserved, an enormous field would be opened; and the very power and strength of the Commissioners would make it difficult for the Government to resist their applications. Appointed by Parliament, the Commissioners would speak with authority when they said—"Such and such monuments are in danger; you must find us funds." A great temptation moreover would be offered to private proprietors who, at their own expense and much to their credit, were now preserving these monuments, to throw off the burden and to cast it upon the public. In conclusion he would say that by far the most efficacious way of preserving most of the monuments would be to trust to private care, stimulated by the watchfulness of those who were interested in them, and by the pressure of public opinion exercised by the welcome visits of the learned societies and by the vigilance of local papers and class periodicals. There might be exceptional cases in which more systematic interference might become necessary; and these could be brought forward specially; and when they were, Government would be willing to look into them and see what legislation was necessary. But it

would be a mischievous and unfortunate precedent to pass this Bill in its present shape, and therefore he hoped the House would not accept it.

MR. DILLWYN said, in support of the measure, that if some of the clauses of the Bill required to be restricted in their operation, all that was necessary could be done in Committee; and if they were to wait until the Government brought in a Bill, they would have to wait a long time. He had no doubt the feeling of the country and of the House was that some protection ought to be afforded to ancient monuments, and that was the opinion that would be expressed by those who voted for the second reading of the Bill. Seeing that many old monuments had been seriously injured, and that it was high time that they should be secured from the wilful depredations to which they had hitherto been exposed, he hoped the principle would be approved and that the Bill would be referred to a Select Committee.

MR. HENLEY said, he should be sorry to see these ancient monuments destroyed; but he thought the perfunctory manner in which the Schedule dealt with the property of many persons was a very poor return to them for the care which they and their ancestors had taken of it for many hundred years. The Bill said that such persons must not injure their property, unless they gave notice of their intention to do so, and claimed compensation for the injury they proposed to commit. If we wanted a man's property, we ought to give him fair notice of the public ground on which we wanted it, and pay him for it, and we ought not to keep a Bill like this hanging over him. It referred not only to a monument, but also to its site, and no one could tell how far a site might extend. Nothing would be more likely to lead to the destruction of these monuments than such attempts at legislation as this, and no such mode of dealing with the rights of private property ought ever to receive the sanction of that House. If the Bill went on, there was nothing to prevent the owners of some of these monuments burning the stones as lime before the Act could come into force. The definition of "monument" given in the Bill was very large and included many things, even to a ditch, and it was altogether too vague as the basis of any interference with private pro-

perty. Moreover, a measure of the kind ought to be in the hands of the Government, if it was right that ancient monuments should be preserved on public grounds. The proposed method of ascertaining the amount of compensation in any case was unjust, for the Bill adopted the clauses of the Defence Act, the justification of which was that fortifications were deemed a great public necessity, but the absence of such urgency in this matter should have dictated resort to the Lands Clauses Act in arriving at the compensation to be awarded.

SIR JOHN LUBBOCK, in reply to the various objections urged against the Bill said, that under it the right of access to a monument would not arise until it had been purchased and paid for; while as to the apprehended invasion of a man's house, nobody lived in British, Celtic, or Roman remains; and it was not proposed to interfere with any monument situated in parks, gardens, or pleasure-grounds. The reason that the Duchy of Cornwall was excluded from the Bill was because it could not be included without consent, which was refused; and the names of the Commission were a sufficient assurance that there would be no vexatious interference with the rights of private property. The Bill, moreover, would not burden ratepayers at all, because it contemplated that the Treasury would undertake a charge which would be for the national advantage; but if the Government would not accept the Bill with that clause in it, the promoters would take it without the clause. With regard to what had been said by the hon. Member for Galway (Mr. Mitchell-Henry), ecclesiastical buildings in Ireland were provided for by the Irish Church Act. Whether Silchester should be included in the Schedule was a question for Committee. Mediæval buildings were not included in the present Bill, because it was considered that they could best be dealt with by a different machinery. Moreover, they would require a considerable outlay for repairs, which was not the case with the monuments dealt with in the present measure. The reason why the Bill named the Defence Act instead of the Lands Clauses Act was that the former contemplated partial or entire acquisition, and the latter entire acquisition only. He might state that there never was any intention to

make deep excavations at Stonehenge, or to do anything which could have endangered the monument. Archæologists, however, were anxious to have determined one point, which might have thrown light on the date of Stonehenge, and, much to his regret, permission to do that was refused. It had been said that the care of the monuments should be left to their private owners, but under their management the monuments were disappearing. There was no desire on the part of the promoters of the Bill to interfere with private rights further than to limit the rights of private destruction. He had no wish to commit the House to the details of the Bill, but was anxious that by reading the Bill a second time the House should express its opinion that it was the national duty to take steps to preserve the ancient monuments of the country.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 94; Noes 147: Majority 53.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

#### BETTING BILL—[BILL 4.]

(*Mr. Anderson, Sir William Stirling Maxwell, Mr. Stevenson, Mr. McLagan.*)

#### SECOND READING.

Order for Second Reading read.

MR. ANDERSON, in moving that the Bill be now read a second time, said: It is now just 21 years since the present betting law was passed. The Bill was introduced by Sir Alexander Cockburn, then Attorney General, and the speech he made on that occasion so entirely met the assent of this House, that it passed through both Houses without any discussion. Why Scotland was exempted from the operation of the Bill I have been unable to discover; but I am very sure that if Sir Alexander Cockburn and the Parliament of that day had been aware of the result of that exemption, it would never have been made. For a considerable time the Act was not put strongly in force in England, but for some years back it has been actively carried out, and the result has been not by any means to put down the system for the

suppression of which the Act was framed, but merely to drive betting-houses out of England and Ireland. Many of the betting agents settled in the Channel Islands, and at Calais and Boulogne; but they soon found they could carry on their business more conveniently in Scotland. The result, therefore, has been to send those betting men from protected England to unprotected Scotland, and in recent years the number of betting-houses in Scotland has been greatly extended. As you are aware, several attempts were made during the last Parliament to get a remedy for the evil. These attempts have never been defeated on their own merits. In no case have any of the Bills come up for discussion in this House. One of them—the Bill introduced by Lord Morley three years ago—passed through the House of Lords without opposition, and came down to this House, where it was lost merely for want of time to discuss it. Every attempt that has been made since to get the law remedied has fallen through in the same way. The reason of this is, that the late Government, no doubt with the best intentions, overburthened itself with heroic measures, and blocked the way of all Bills introduced by private Members, and in addition to this, Scotch business was rather systematically shelved during the reign of the late Government. There has been no debate on this question, and neither party is committed in regard to it. If any party is committed against it, I think it must be the Home Rule party, for I see two distinguished Members of it have put down hostile Amendments. Indeed, they put them down before the Bill was printed, and therefore I suppose they took it for granted it would be the same as last year's in respect of being purely Scotch; and they being Irish Members were bound to interfere with Scotch legislation, it being, as I presume, one of the objects of the Home Rule party to govern Scotland according to Irish ideas. I do not object at all to their interference. I am very much pleased to see Irish Members taking an interest in Scotch legislation, and think all Members of Parliament ought to do so. The objects, then, of this Bill, are in the first place to amend the English law, which is deficient in so far that it permits betting advertisements and circulars; and, after it has been amended in

*Sir John Lubbock*

this respect, to extend the law to Scotland. I consider these two objects equally important. The English Act has hitherto acted towards Scotland very much in the way of the humane gardener who got rid of the vermin in his garden by throwing it into that of his neighbour. Some English Members say I want to pass a Bill to throw it back again. It is not so. Indeed, it is precisely because I do not want to do so, that I wish to amend the English law before extending it to Scotland. In the matter of advertisements, at present, the English law attempts to put them down. There is a clause in the Act against advertisements; but when it came to be interpreted a few years ago, it was found that the authorities were unable to enforce it, because it provided that advertisements to be illegal must invite people to resort to betting houses in England, and therefore that advertisements which invited them to betting-houses in Scotland were not illegal. I wish to make it as much illegal for Scotland as it is for England. If we extend the law to Scotland without putting down advertisements, the effect will be merely to drive these betting houses out of Scotland and let them go to the Channel Islands, and to Calais and Boulogne, whence they will continue to flood England, Scotland, and Ireland with their advertisements, and, in short, carry on the same game as they have been doing in late years from Scotland. The extent to which this kind of advertising is carried in the country is not generally known. Hon. Members who read *The Times* or *The Standard* never see the advertisements to which I refer. I had the curiosity to look at the sporting papers of Saturday, and in one paper called *The Sportsman*, which is published four times a-week, I found no fewer than 56 betting advertisements, including those of the "tipsters"—learned gentlemen who advertise their willingness to confide to correspondents the names of the certain winners of particular races. In another paper, *The Sporting Life*, which I believe is published twice a-week, I found no fewer than 70 such advertisements, and other papers had smaller numbers. I have been informed on good authority that one betting-house alone in Edinburgh pays a single London newspaper so much as £80 a-week for advertising, and that house advertises in other papers also. One class of advertisements are called discretionary adver-

tisements; and these being undoubtedly dishonest, the newspapers charge a very high price for inserting them. Now, I was very much struck, in looking over the London sporting papers on Saturday, to find that not one of them had a single "discretionary" advertisement. A few weeks ago the same papers were full of them, and it is only since this Bill has been printed that they have wished to appear as virtuous as possible by excluding these advertisements. *The Sportsman*, I see, has announced its intention of not publishing any more of them. That paper, however, has for years shared the plunder of these discretionary advertisements, and all the time the editor, in his Notices to Correspondents, was warning his readers against them, thus showing that he knew very well the nature of the advertisements. In fact, all newspaper editors know perfectly well what they mean. I have extracted a few of the advertisements to show the House what they are like. Here is one from a paper rejoicing in the name of the *The Sporting Clipper*—

"Three splendid speculations. Great success. For the trifling stake of 15s. you can realise £3,000, for £1, £12,000, and for £8, £37,000. For particulars, apply without delay to so and so, Guernsey."

I found a number of other advertisements hailing from the Channel Islands. One was to the effect that a gentleman had, by long and careful study of the average of chances, discovered a system by which the telling of a winning horse was reduced to a mathematical certainty, and was willing to give the benefit of his discovery to all who sent him 5s. in postage stamps; while another one set forth that a former owner of race-horses was willing to send the names of certain winners, on condition that they were not backed in London, and that the applicants sent 5s. in postage stamps, the object of the charge being to stave off merely inquisitive people. Of course, the idea that there is any mathematical process whatever by which the absolute winner of any race could be foretold is so absurd, that it is hardly credible any people would believe it; but the fact remains that this class of advertisement is steadily increasing in number every day. A few years ago they were to be numbered by twos and threes—now they appear in swarms. This shows that there is a steadily increasing crop of



fools ready to waste their money by sending it to these people, who profess to have these wonderful secrets, and at the same time to have so much generosity that they are willing to part with them for 5s. The extreme absurdity of the thing never occurs to the young men who send their money to get the valueless information. Advertisements of the kind I have been describing are perfectly legal. I ask hon. Members if they ought to be so. I ask them if they are not most immoral and prejudicial in their effects. We do not allow advertisements about gaming tables or lotteries; then why should we allow them about houses of this kind? One remarkable fact is that respectable editors will not admit this class of advertisements at all. Perhaps the most respectable sporting papers in this country are *The Field* and *Land and Water*. These are papers that encourage horse-racing, but neither of them will admit one single betting advertisement, not even a tipster's advertisement. I have letters from *The Times*, *The Daily Telegraph*, *The Daily News*, *The Standard*, *The Hour*, *The Echo*, and *The Globe*, all stating that they had made it an absolute rule to refuse insertion to every betting advertisement, some of them adding that they had come to this decision, notwithstanding the fact that they were offered double their scale prices for them. What conclusion can be drawn from this? Why, no other than that the editors of these newspapers know that there is something bad about the betting advertisements. We all know that newspapers are most anxious to cultivate their advertising columns, and we may rest assured they would not refuse these particular advertisements unless there was something decidedly wrong about them. So far, as I have been able to see, *The Advertiser*, and *The Morning Post* are the only two daily London papers that ever insert them, and they are very mild sinners, all they do being to smuggle one or two in now and then, and they always put them in very small type, as if they were ashamed of them. The worst sinners, I am sorry to say, are the provincial papers. *The Glasgow Herald*, however, has set a good example by refusing to insert them altogether, and I hope some others do the same. And now as to the betting-houses. These are of two classes. One class is an

absolute swindling class. The keepers of them are nothing but swindlers. They take the public money without the slightest idea of ever paying anything back. All those who profess to have discretionary or optional investments may be considered as belonging to this swindling class. I would like to give some idea of what sort of inducements these men hold out to the public. They all begin their advertisements by stating the immense success they have achieved at different race meetings, and then proceed to give instances of the sums gained through their agency, stating that thousands are weekly made by betting on their advice, and that there is no surer method of making a fortune. Discretionary advertisements may not be generally understood. I will explain the system. A person who wants to bet, probably by way of showing his discretion, trusts his money to a man he knows nothing about, and the money is to be laid out at that man's discretion, and to be accounted for after the race is over. I have one of the accounts in my hand. It is from a house which has very many advertisements informing the public that it has an infallible method of winning, and generally at long odds. The gentleman who sent it to me invested £5, and the account shows ten bets in all—four of them winning and six of them losing bets, and the whole stake being lost. The remarkable feature is that the winning bets were in every case a bet at evens—a horse against the field—or a bet in which odds were given on the horse, while all the losing bets were those in which the odds had been accepted. Therefore, the infallible method of winning always fails unless the public favourite is backed. These discretionary advertisements are called among sporting men "muff traps," and I think the phrase is very expressive, because the advertisements only take in simpletons. It may be said that this sort of thing cannot last—that men will find themselves swindled once, and will take care not to be taken in again. It must be remembered, however, that there is a constant crop of new men growing up, and these betting men go on the theory that they can always get new customers. One of themselves very well expressed it the other day by saying—"There is a fool born every minute, and, thank God, some of them live." Some people think

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fools were made for the benefit of rogues. In some quarters it is thought to be an interference with the providential balance of equities to legislate for the protection of fools, and hon. Members will remember how the "Claimant" expressed this view—"Surely them with plenty of money and no brains were made for them with plenty of brains and no money." That is the principle on which these betting men act. They think that they can always get new customers when they have disgusted their old ones. Then there is the respectable class—those who pay their obligations when they lose; and although these are comparatively honest men, I think I will be able to show their system to be the more immoral and more dangerous of the two, because while the others all trust to new customers, these men lead on the old ones from one step to another till they are more or less completely ruined. The profit they get is by giving less than the market odds—in fact, these houses create the odds. Everybody who knows anything about betting knows that, as a rule, the backers of horses lose money even in the fairest betting, and it can easily be understood how much more likely they are to lose when they are obliged to pay their share of the enormous expense of large establishments and advertising. It is very like playing with loaded dice. Every person knows that loaded dice do not always turn up against you; but it gives them a tendency to do so, and over a long course of play you are certain to lose. In the same way, over a long course of events the balance must undoubtedly be against the backers of horses. They will always come to grief in the end. The result may be delayed—a man may occasionally win; he may even win large sums now and again; but these winnings will only encourage him to go on till he gets deeper and deeper into difficulties, till at last he reaches complete ruin, or his career terminates in some such climax as this—the paragraph is one I cut from a Glasgow paper—

"Alleged theft of £100.—A young man named ——— was yesterday brought up at the Central Police Court on a charge of stealing £100 from the office of his employer. It is stated that the prisoner had recently become addicted to betting."

I have letters here from the police of Glasgow and Edinburgh, and would

like to read a few short extracts. The Glasgow letter says—

"At the present time there are no less than 28 betting-houses in Glasgow, the number having been nearly doubled within the last two years. The more stringently the Act is enforced in England, the more numerous become the houses here. A few years ago there were none at all. The great majority—almost the whole—of the betting men are strangers who have had to flee from London, Liverpool, Manchester, &c. That the existence of such men and places has had, and is having, a very demoralising and prejudicial effect on the young men of the city there cannot be the least doubt."

The writer then proceeds to give instances, but those I need not trouble you with. The Edinburgh police letter gives a list of 13 betting-houses existing in that city. There are two mentioned as being large establishments, which employ several clerks each. Four are mentioned as doing a very extensive business, and it is said they have £5,000 or £6,000 on every important race. Then there is a list of seven which take stakes from 1s. upwards. These houses are said to be frequented mostly by the poorer classes; but nevertheless they are frequented in such numbers that they take from £250 to £1,000 on the principal races. The letter goes on to speak of cases in which the police interfere. It states that in one house in Elder Street they found upwards of 300 letters enclosing money and stamps, and about 1,500 circulars. I have other information which I believe to be thoroughly accurate, and I am told that there are two houses in Scotland that are making £20,000 a-piece per annum. There is therefore a high pecuniary stake at issue, and the parties interested will no doubt make every possible effort to get the present state of the law continued. I now come to the objections that are urged against the Bill. First, it is said that it would be a blow to our great national sport. There could be no more unfounded objection. It does not interfere with horse-racing at all. Indeed, its only effect in regard to horse-racing would be to rid it of one of those blots which tend at present to make a noble sport appear disreputable. If it were otherwise, would *The Field* and *Land and Water*—which refuse to admit these advertisements and support horse-racing—approve of the Bill? ["Hear, hear!"] I am glad to hear "Hear, hear," from the hon. Member for Mid-Lincoln-



shire (Mr. Chaplin), and I hope he will give us the benefit of his opinion on the subject, because I am sure there is no man to whose opinion on such a subject the House would attach more weight. If this Bill interfered with horse-racing, would a Bill more stringent—Lord Morley's—have been allowed to pass another House without any question? We know noble Lords are not likely to pass any measure that would interfere with horse-racing, and my Bill is really milder than Lord Morley's, because it leaves out a strong clause he succeeded in passing through the House of Lords. The men who frequent these betting-houses as a rule know nothing whatever about horse-racing. Most of them never saw a race at all, and know nothing about race-horses, further than that they have four legs, and even that is hardly true of some of the wretched outsiders they are induced to back. Another objection to the Bill is, that it is a piece of class legislation—that it is an interference with the poor man's privilege of betting. It does not take away his right of betting. It does nothing to interfere with anyone's right of betting. It only interferes with the poor man's privilege of being robbed. It only interferes with those unfair inducements which are held out to men to make them bet. I myself do not feel that betting is in itself an immoral act, and therefore, I am not prepared to prohibit betting. I say nothing whatever in regard to those men who can afford to make bets. The immorality only comes in when the element of fraud is introduced, or when men who cannot afford to lose are induced to bet by false representations—men who, if they did lose, would do serious damage to those dependent on them, or to employers who trusted them with their money. It is only with those two points—of being fraudulent, and of unduly tempting young men to bet—that my Bill deals. The only other objection I have seen is to a particular clause which is intended to put down circulars and letters sent by post. A great deal of dirt has been thrown at this clause, which, it is said, is intended to interfere with the privacy of our letters. There is, however, nothing whatever in the Bill, or in the particular clause referred to, to give anybody any power to interfere with any letters at all; but the way in which that

clause will work—and it will be very effectual—is this, that it will put the sender of a circular always at the mercy of the man he sends it to. Every one who sends a circular will know this, and it will tend greatly to decrease the number of circulars, and to make the man who sends them careful not to attempt to swindle those he sends them to; because he would know his punishment could be so easily brought about. That, however, is a point of detail, which can be dealt with in Committee. I hope I have now made my case sufficiently strong to induce hon. Members to support the second reading of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. George Anderson.*)

SIR HENRY SELWIN-IBBETSON said, the matter with which the Bill dealt was so important that he felt it would not be right for it to pass without some one saying a few words on behalf of the Government. There was one broad principle which should guide them in dealing with this question, and that was that what had ever since 1853 been deemed necessary for the conduct of public morality and order for one part of the Kingdom, should apply to the whole of it. The Act of 1853 was passed with the view of correcting the very errors and faults which had been brought so prominently forward by the hon. Member for Glasgow (Mr. Anderson); but since the passing of that Act the sister kingdom of Scotland, which had been omitted from its provisions, had been made the nest of the men who had previously carried on their betting operations in England. As he understood, the Bill now proposed would extend the provisions of the Act of 1853 to Scotland, and it would also correct one or two defects in the Act itself. The statute of 1853 enacted in the 3rd clause that advertisements with respect to betting transactions in England and Ireland should not be published in any paper belonging to those parts of the country, and the result was that advertisements from Scotland and France could be published with impunity, and were published in the English newspapers, so that the intention of the Act in that respect had been defeated. The present Bill would meet that defect. When it was objected that the Bill of

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the hon. Member was class legislation, he would say that it was a Bill that did not come within any such definition. It did not deal with the poor man more than with the rich; but it insisted that betting transactions should be carried out on a system of honour, and not on such a system of deposit as now existed. The Government felt themselves justified in supporting a Bill of that kind, though brought in by a private Member, reserving to itself the right of making Amendments when it got into Committee. So far as the principle was concerned, they were glad to give it their support.

MR. MITCHELL HENRY said, he felt it his duty to notice a remark which had been made by the hon. Member for Glasgow (Mr. Anderson) in moving the second reading of the Bill. The hon. Member said he observed that two Irish Members belonging to the Home Rule party had given Notice of Amendments hostile to the Bill. He (Mr. Mitchell Henry) regarded it as an unfortunate circumstance that every opportunity should be taken by some hon. Members in that House of introducing insinuations of that nature in debates relating to other subjects. The hon. Member, moreover, was mistaken in supposing that the two hon. Members he referred to belonged to the Home Rule party. One of them was not a Home Ruler; on the contrary, he was very much opposed to it. Home Rule should be discussed on its merits. So far as he was concerned, the earlier it was discussed the better; and he did not think that it would then be found to be a measure that could justify hon. Members on either side of the House pointing to those who held the Home Rule faith as being, in consequence, unfitted to legislate, or to express an opinion upon general questions of the kind now before the House.

MR. M'LAREN: Representing one of the cities to be affected by this Bill, I desire to say a few words. I have received a Petition from the Chamber of Commerce of Edinburgh unanimously agreeing to the principle of the Bill. Some time ago I presented a Petition numerously signed from the inhabitants of the city and county of Edinburgh, likewise expressing approval of the measure, and I have just received a Petition in its favour from the Trade Protection Society, numbering 1,300 persons. All the gentlemen who sanctioned

these Petitions complain of the injury that has, to their own personal knowledge, been done to young men in their employ by the facilities for gambling held out to them by these betting houses in Edinburgh, and I am satisfied that the moral injury which is inflicted, upon the rising generation, by these betting houses is something more lamentable than hon. Members can easily conceive. Many persons in Scotland, who betted to large amounts, and lost, have been utterly ruined, to the great injury of their families. The Petition of the Scottish Trade Protection Society is deserving of serious attention. It states that many evils have arisen; that many persons have been led into vicious and dishonest courses by these betting houses, which are greatly on the increase; that betting houses were almost unknown in Scotland until by the operation of the Act repressing betting in England, the men carrying on this nefarious trade were driven out of the country and removed to Scotland, where they have been instrumental in bringing about the most calamitous results. The question has been so exhaustively treated by the hon. Member for Glasgow (Mr. Anderson) that I will not say one word except with regard to the remarks which have fallen from the Under Secretary of State for the Home Department. I rejoice that the Government are going to support the Bill. If they desire to enlist on their behalf the sympathies of the people of Scotland, they cannot secure that object better than by supporting such a beneficial measure as this. Regarding what has been said by the hon. Member for Galway (Mr. Mitchell Henry.) I myself have remarked that if Irishmen honestly and zealously wish that they should govern themselves by what they call Home Rule, it is certainly incumbent on them to assist the people of Scotland in this small measure of home rule; and that they are in a peculiar manner inconsistent in opposing a Bill of this kind—if they are really opposing it—seeing that they are so strongly in favour of the Home Rule principle being carried out in their own country.

MR. ANDERSON said, he desired only to make an explanation to the hon. Member for Galway (Mr. Mitchell Henry). He was sorry he should have said anything at which either he or any other Home Ruler could take offence. It was not intended; for he said he wel-

comed them, and was glad to see them taking an interest in Scotch business, and always should be glad to do so.

*Motion agreed to.*

Bill read a second time; and *committed* for *Tuesday* next.

MARRIED WOMEN'S PROPERTY ACT  
(1870) AMENDMENT BILL—[BILL 12.]  
(*Mr. Morley, Sir John Lubbock, Sir Charles Mills.*)

SECOND READING.

Order for Second Reading read.

MR. MORLEY, in moving that the Bill be now read a second time, said, its object lay within a very narrow compass. In 1870, a Bill was passed in that House called the Married Women's Property Bill. The 3rd clause of the Bill enacted that every woman who married after the Act came into operation should during her coverture retain all her personal property, whether possessed by her before marriage, or acquired after marriage, free from the debts or control of her husband. The 6th clause enacted that the husband should not be liable for debts contracted by the wife before marriage; but that the wife might be sued, and any property that she had to her separate use might be taken in satisfaction of the debt. The Bill went to the House of Lords with those two clauses in it, but when it returned to the House of Commons, one of the clauses was struck out, and, as the Bill passed, the wife lost her property, but the husband was relieved from the liability to pay the debts of the wife before marriage. He believed he was correctly representing the present state of the law when he said that there were thousands of unmarried women now carrying on trade who might purchase on credit goods in which they were dealing, and the following week might marry and snap their fingers at their creditors, who would have no remedy against either the husband or the wife. He had that day presented a Petition from a large number of bankers and traders, praying that the remedy which this Bill sought to secure might be granted. He might mention one case as illustrating the hardships inflicted on creditors by the present state of the law. A lady purchased a piano of a manufacturer, agreeing to pay for it in eight quarterly payments. She made good three or four of these pay-

ments, and then married, and the property in the piano passed to the husband, and he refused to pay the instalments due by the wife. She, by her marriage, was free from the debt, and the husband was not liable either. Another case was brought before Lord Cairns. A lady had lent £100 to a female friend. She married, and almost immediately afterwards repudiated the debt. The husband denied any liability, and there was no remedy. Lord Cairns said that was a very anomalous state of the law. When the Bill was before the House of Lords, Lord Cairns, who had charge of it, said the main principle of the measure was that whenever money or property had been acquired by an unmarried woman by her own industry it should be secured to her separate use, just as if it were actually settled upon her; and Lord Westbury said he was quite content with regard to the principle. He (Mr. Morley) was quite unable to account for the fact that the right hon. and learned Member for Southampton (Mr. Russell Gurney), who had charge of the Bill in this House, did not take exception to this change in its provisions. He believed there was great anxiety on the subject in trading circles, as spinsters or widows who kept shops might incur debts for goods, and in case of their marriage the trader who sold them the goods had no remedy. If that were not the true state of the law, he should be very glad to be corrected; but if it were, he hoped the House would give its sanction to a measure proposing to remedy such an injustice. The Bill as drawn was retrospective, but that had not been intended, and he should be quite ready in Committee to amend the Bill in that respect, as he wished simply to deal with cases in which the parties married after the passing of the Bill.

*Motion made, and Question proposed, "That the Bill be now read a second time."—(Mr. Morley.)*

MR. LOPES, in supporting the Bill, said, he had always been an opponent of the Act of 1870, but that having become law, he thought the Bill of the hon. Member for Bristol (Mr. Morley) was a necessary adjunct. Up to 1870 the effect of marriage on the personal property of the wife was to vest it in her husband, who was liable to pay the debts of his wife; but when the Bill of 1870 was under consideration,

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it was thought right that if the husband was not as theretofore to take the property of the wife, he should not be liable for her debts. The Bill now before the House proposed to modify this state of the law, and to enact that the husband should not be released from his wife's ante-nuptial obligations, if he took property with her, but should be liable to the extent of the property which he took. In his opinion, however, the Bill should go farther, and prevent the husband's indefinite liability for his wife's ante-nuptial torts; and, with that addition, he thought it would be a useful measure.

MR. MARTEN, in moving as an Amendment, "That the Bill be read a second time that day six months," said, the Act of 1870 was the result of several years' consideration, both in that and the other House of Parliament. He objected to the Bill under notice as being likely to re-introduce a former state of things, with regard to which very strong expressions had been used by the advocates of the Act of 1870 with reference to the position of married women in relation to property. It was said that marriage was equivalent to the forfeiture of their property; but that did not fairly represent the state of the law on the subject. It would be more correct to say that the right of property was suspended during the continuance of the marriage. It was necessary that this distinction should be borne in mind in dealing with this question. And so with regard to the liabilities of the wife. If an action were brought after marriage in respect of liabilities incurred by the wife before marriage; if judgment were obtained during the continuance of the marriage, the husband, as representing both, was held to be responsible, and the liability was limited to the continuance of the marriage. This Bill would introduce a novel principle with regard to the relation of husband and wife; every woman would be treated on her marriage as dead in law, and as if her husband were her executor; just as women entering religious houses had been held to be dead, and the heads of those houses had sued their own executors, sometimes bringing and maintaining actions against the relatives for their property. That state of things would be most objectionable, for it held the husband liable at any distance of time for what he had received; and while a woman might be allowed to make a present of a thousand

pounds or more to a godchild, or a favourite servant, or a cousin, she would not be allowed to give a £10 note to her husband without his being called to account for it. As regarded the working of the Bill, the husband might be held liable, and even his executors, at a distance of 20 or 30 years, for every penny he received at the time of his marriage, and for every article of furniture, under the penalty of completely satisfying the liability charged against him. The onus ought to be thrown upon the creditor to prove that the husband had received from the wife property that was answerable for the liability. In the first section of the Bill the word "entitled" was used, and in the second the word used was "received." By the 1st section the husband was made liable for any property he was entitled to receive on the wife's account, so that the 1st section made him responsible not only for what he had received, but also for what he might have received but had not received. On the other hand, the 2nd section provided a remedy only for what the husband had received. He objected, also, to the provision in the 2nd section which said that the Judge should make such an order as he might think just. It was important that some general principle should be laid down for the guidance of the Judges both of the Superior and Inferior Courts, and especially of the latter, seeing that, although the amounts might be comparatively small, yet that the Bill affected the interests of a great number of persons. It was remarkable that the Act of 1870 did not extend to Scotland, and if this Bill passed in its present shape there would be three different laws for the different parts of the Kingdom. England was under the operation of the Act of 1870, and would come under the operation of the present Bill. Ireland was under the operation of the Act of 1870, but was excluded from the present Bill; while Scotland would come under the operation of the present Bill, but was not under the Act of 1870. This discrepancy might, no doubt, be remedied in Committee. The hon. Member for Bristol (Mr. Morley) had relied upon the case of the traders, and their case no doubt might be distinguished from others, but the class of female traders was very small. The last Census gave the total number of females in England and Wales as 11,653,332, but of these



only 57,237 were engaged in trade. The number, however, was sufficiently important to justify some provision to meet the case of women who were traders at the time of their marriage. He would recommend that that case should be met by an amplification of the 1st section of the Act of 1870, which secured to a married woman her earnings in trade, &c. He would suggest that the stock-in-trade, the book debts due and growing due, the assets, and the goodwill of the business of a woman who entered into the married state should belong to her for her separate use in the absence of an agreement to the contrary made at the time of her marriage. The separate property would then become subject to any judgment on any contract made by her previous to her marriage. If any allegation of fraud were set up and established, the Courts would have power to meet such a case. The Bill, moreover, was objectionable as an instance of piecemeal legislation, and if Parliament undertook to alter the Act of 1870, it should be done by some complete and fully-considered measure. Seeing that the Bill only dealt with a fragment of the question, and that it failed to lay down any distinct principle on which the Courts should proceed, he had no hesitation in moving its rejection.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Alfred Marten.*)

SIR FRANCIS GOLDSMID said, that if he saw any chance of comprehensive legislation on this subject during the present Session, he would willingly wait. A comprehensive measure was brought in last year, was supported by considerable majorities, and would have passed the House of Commons but for the half past 12 o'clock rule. Although the other House were not disinclined to criticize the proceedings of this, noble and learned Lords appeared to have framed the Act of 1870 by contributing each a section, without any one of them taking care that the different sections should be consistent one with the other. That that Act should at an early period be largely modified seemed therefore to be a matter of necessity. Those who desired such modifications, however, looking to the shortness of the Session, had determined not to bring them forward this year. There was, under these

circumstances, no intelligible reason why this Bill should not meanwhile pass, and thus remedy the admitted injustice of a husband taking his wife's property, and yet not being liable for her debts. Nor was any such reason to be extracted from the not very short treatise on the law of husband and wife, with which the House had been favoured by the hon. and learned Member for Cambridge. That hon. Member had remarked with some force on the absurdity of having a different law in every one of the three divisions of the United Kingdom. But the only foundation for these remarks was the fact that the word "Ireland" in the Bill had been printed by mistake for "Scotland," and this could, of course, be corrected in Committee.

MR. STAVELEY HILL said, that he had received many complaints relating to the flaw in the Act of 1870, which caused great injustice to creditors. Under the present law, a woman might contract debts to any amount, and then, if she afterwards married a man without a settlement, the creditor had no resource. This was a *casus omissus* which should be at once remedied, for in his opinion husband and wife should never be treated in reference to property as entirely separate persons. In the present Bill there were many points which needed amendment, but still upon the whole he should support the second reading, it being a measure which would remedy many evils.

THE ATTORNEY GENERAL said, that he could have wished that the Bill had been expressed in terms more apt and proper to give effect to the object sought to be attained; but still it hit what was clearly a blot in the existing law. Before the Act of 1870, a man marrying a woman possessed of property acquired that property, unless it were settled on her, but he became liable for her debts. In 1870 two amendments, or perhaps he should rather say alterations, were made in the law, the one giving the means of protecting certain property of the married woman from the husband, and enacting that it should be held to be her separate property; and the other providing that the woman's husband should not be liable after marriage for any debts she might have contracted before marriage. The consequence was, that in many cases the husband acquired all a woman's property, while her creditors lost any

*Mr. Marten*

security they might have had for the payment of their debts. The scope and purport of the present Bill were to make the husband liable for the debts of the wife to the extent of the property he had acquired by his marriage. The Bill might, and he believed would, require some amendment in Committee, and some of the suggestions made by his hon. and learned Friend the Member for Cambridge (Mr. Marten) would deserve consideration in Committee, but he trusted that he would withdraw his Amendment and allow the Bill to be read a second time.

THE ATTORNEY GENERAL FOR IRELAND (Dr. BALL) assented to the Bill, but with the same reservation as to the necessity of considering the wording of the provisions in Committee, as he considered they were open to amendment.

MR. MELDON held that piecemeal legislation never worked satisfactorily, and on that ground he was opposed to proceeding further with the Bill. The Act of 1870 required amendment in other respects, and it was highly inconvenient dealing with the subject in the limited manner proposed by the Bill. Although acceding to the principle put forward, he did not agree with those who wished to extend the rights of creditors over property *bond fide* put in settlement for the benefit of the issue of the marriage, but would confine their rights to monies actually coming to the hands of the husband. Without any alteration of the law as it now stood, property belonging to a woman, put in settlement on her marriage fraudulently with the object of defeating creditors, could be followed. It was necessary to amend the law by declaring that a married woman, trading separately, should be competent to contract, and be made liable, in certain cases, to be made bankrupt. He would oppose the extension of this Bill in its present shape to Ireland. He was, in fact, opposed to this kind of piecemeal legislation; and even if they put aside the argument that the subject should be dealt with in a comprehensive manner, it was a sufficient objection to this Bill that the clauses were very badly drawn up, and needed much careful consideration and amendment. As several alterations were necessary in the law as it now stood, it would be much better, in his opinion, to let the whole matter remain over for a short time, and devote the interval to the consideration of how

the law affecting the whole question could be clearly and accurately stated.

MR. GREGORY said, that he sympathized a good deal with what had fallen from the hon. Member who last spoke as to the impolicy and injustice of following property which had become the subject of *bond fide* settlements made on and in consideration of marriage. The objects of these settlements were not only the husband and wife, but the children of the marriage, and their position ought not to be affected by liabilities of the mother antecedent to the marriage. With respect to the Bill itself, there seemed to be such unanimity of opinion as to the course to be taken that it was unnecessary for him to say much upon it. In principle the Bill was perfectly right; but the clauses by which that principle was to be carried out were so worded that it was doubtful if they would effect the object. There should be no doubt whatever as to the liabilities of a man who married a woman with property—namely, that, if afterwards sued for debts contracted by her before marriage, he should be liable to the extent of the property he acquired by or through her, and no further. He advised his hon. Friend the promoter of the Bill to confine it to this point, notwithstanding the friendly suggestions he had received in the course of the discussion. No doubt in some respects the Bill required alteration, but there could be little objection to the measure if it were confined to that principle.

MR. MORLEY, in reply, acknowledged the general acceptance which the Bill had met with on the part of the House, while at the same time he was compelled to admit that the objections which had been made by several hon. and learned Members were deserving of consideration. His simple object was to secure the assent of the House to the principle of the Bill, and he would be glad to take counsel with hon. and learned Gentlemen who had pointed out defects in the wording of the Bill, in order to introduce such Amendments in Committee as would secure for the measure the sanction of the House.

Question, "That the word 'now' stand part of the Question," put, and agreed to.

Main Question put, and agreed to.

Bill read a second time, and committed for Friday 24th April.



## GAME BIRDS (IRELAND) BILL.

(Viscount Crichton, Mr. Sergeant Sherlock, The Marquess of Hamilton.)

[BILL 37.] SECOND READING.

Order for Second Reading read.

VISCOUNT CRICHTON, in moving that the Bill be now read a second time, said that its object was to alter the grouse and partridge shooting seasons in accordance with the recommendations of a Select Committee by whom this question had been considered. It proposed that grouse shooting should commence on the 12th instead of the 20th August, and that partridge shooting should commence on the 10th instead of the 20th September. The grouse were, in fact, quite as fit to be shot by the 12th of August in Ireland as they were in England and Scotland. Under the present system any gentleman who had the shooting over a moor might, if the commencement of the season were wet and stormy, find when he was able to set to work that the birds were so wild that it was impossible to get near them. Besides, the present system afforded great facilities for the illegal sale of grouse and partridges killed, at present, on the 12th, and sold as English and Scotch birds, the law against which might to a great extent be said to be a dead letter in Ireland. It was at first proposed that the partridge shooting should commence on the 1st of September, as in England; but against this it was urged that there were different conditions in the state of the agriculture of the two countries. As there was probably good reason in this objection, he proposed that the partridge shooting should commence on the 10th of September, instead of on the 1st of the month. The only other objection was that grouse and partridges were not fit to be shot on August 12 and September 10 respectively. He could only say, in answer to that objection, that the evidence tended to show the contrary. The memorial to which he had alluded, and which was laid before the Committee, was signed by the great majority of those interested in grouse shooting. Of course it would have been competent to the other party to have got up a counter memorial, but such was not even attempted; they let the matter go by default, calling only two witnesses before the Committee. As he

saw the Bill was opposed, he would only say to its opponents that it was in its nature merely a permissive measure. All that its advocates asked was that they should not be prevented from shooting grouse when they thought fit; and, above all, that they should be placed on an equality with the poachers and the illegal sellers of game, and that thereby the inducement to break the law, which so extensively prevailed at the present time in Ireland, should be removed. On these grounds he begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Viscount Crichton.)

MR. O'CONOR, in moving as an Amendment, that the Bill be read a second time that day six months, said, he opposed the Bill on the ground that the proposed change in respect of the time for shooting game in Ireland was made at a most inopportune moment. But he was also of opinion that the change was not desirable either in the interest of the preservers and shooters of game, or of the tenants upon whose land the game was to be found. The Bill consisted of two clauses, which dealt with two different classes of game—grouse and partridges. As regarded grouse, the rule in England was to commence grouse shooting on August 12, while in Ireland it did not commence until the 20th. He agreed that it would be desirable, if possible, that the shooting in both countries should commence upon the same day, because of the facility which the difference in time now gave to poachers for poaching game in Ireland, and exposing it for sale before the day on which the shooting commenced in that country. But the real question was whether the grouse were fit to be shot on August 12 or not? It was most desirable that that question should be considered by a Committee appointed solely for that purpose, so that the House should have before it the opinions of persons well conversant with the subject upon which they might then proceed to legislate. The noble Lord (Viscount Crichton) had stated that the matter was considered by the Committee which sat last year; and he had made it a strong point that this Bill was founded upon the Report made by that Committee. He (Mr. O'Connor) admitted that that was so, but he denied

that the Committee had before it sufficient evidence to warrant them in coming to a conclusion upon the question at all, and for the simple reason that that Committee was appointed two Sessions previously for an entirely different purpose—namely, to consider the question of the Game Laws in general. He believed that at the present moment very few of those who had the largest shooting districts in Ireland had any notion that the Committee had investigated the matter at all. Had it been known that the Committee were about to investigate this matter, he believed that such a mass of evidence would have been brought before them as would have led them to come to a very different conclusion from that at which they had arrived. The great majority of those who owned mountain shooting in the West of Ireland were opposed to any acceleration of their shooting, because they had found that on the 12th of August the birds were scarcely fit to fly. The only persons whom he could find in favour of the proposed change were those who owned what was called the flat moor shooting; but he could say from his experience of flat moor shooting in the West of Ireland that he had frequently gone out on the 20th August and found grouse that were perfectly unfit to be shot. Therefore, in the interest of the flat moor shooters in the West of Ireland, he was strongly opposed to this change. If the change proposed by the Bill in regard to grouse were undesirable, that proposed with respect to partridges was still more so. In the first place, the argument for altering the day for grouse shooting in Ireland did not apply to the case of partridges. In the case of the grouse, they assimilated the law in the two countries; but in that of partridges they did not assimilate the law, and if it would be absurd to commence partridge shooting on the 1st of September in Ireland, it would be just as ridiculous, in his opinion, to commence it on the 10th. His experience was that on the 10th September the corn was still standing in the fields, and everybody knew perfectly well that to go out partridge shooting while the corn was still standing would be most unsatisfactory sport. It had been alleged that the grouse became so wild that it was almost impossible to shoot them after the 20th. Such, certainly, was not his experience in that part of Ireland

with which he was connected; and as to partridges, the difficulty was to get them to rise at all, they lay so close. He believed that the change would do very little good, even to those who desired it; while the effects on the whole would be productive of considerable mischief. He begged, therefore, to move that the Bill should be read a second time on that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. O'Conor.*)

MR. DILLWYN said, that he had some experience of game shooting in the West of Ireland, and could testify that the conditions were, in many cases, different from those in England and Scotland. He thought that it would be better to assimilate the time for shooting grouse and partridges in England to that of Ireland, for if the Bill was carried they would soon have very few grouse in some parts of the latter country. In the West of Ireland, where he shot every year, on the 12th of August the grouse were not generally old enough to shoot; they were, in fact, only squeakers, such as no sportsman would care to fill his bag with. He did not attach much importance to the recommendations of the Committee as to the principle of this Bill, for he thought them beyond the order of its reference and based upon a partial inquiry. He objected altogether to the Bill, and should support the Amendment of his hon. Friend the Member for Sligo (*Mr. O'Conor*).

MR. SYNAN remarked that, as regarded a part of Ireland, there was, no doubt, a great deal to be said in favour of this Bill. The question resolved itself pretty much into one of locality. In the North of Ireland the shooting might be advantageously accelerated, and with respect to some counties in the South and East of Ireland, probably the acceleration of the day which was proposed by the Bill would be of use as far as partridges were concerned. With respect to the West of Ireland, however, the noble Lord (*Viscount Crichton*), if he looked into the evidence taken before the Committee last year, would find that the proposed change was not applicable to that part of the country. The noble Lord had said that if the grouse were not strong enough to be shot on the

12th, they need not be shot. But they would be poached upon, and shot down before they were strong enough to be shot, and thus the proprietors of grouse shooting in the West of Ireland would be injured. The best course would be to refer it to a Select Committee. If the noble Lord consented to do that he would vote for the second reading, but otherwise he would not.

MR. G. CLIVE said, that for years he had enjoyed the right of shooting over 40,000 acres in Mayo, and had also much experience in Scotland, and he could bear testimony to the fact that the grouse shooting might as safely be commenced in Ireland on the same day as in England and Scotland.

MR. BRUEN said, that he had rented a moor in the county of Mayo for many years, and he had therefore some claim to speak on behalf of that part of Ireland. He quite agreed with the hon. Member for Limerick (Mr. Synan) that certain parts of Ireland were differently circumstanced in regard to this question. In the East, he (Mr. Bruen) did know that the 20th of August was too late a day for those who preserved game to commence shooting. The owner of one of the largest moors in the county of Wicklow had often told him that after the first three days of shooting the grouse became so extremely wild that it was next to impossible to get his game with his dog. In the West he had himself shot grouse up to the end of September, and they lay just as well then as at any previous period. Sir Roger Palmer, who was a large owner of shooting in Mayo, and the hon. Member who spoke last, both said that the grouse would be fit for shooting before the 20th August, and the change proposed by the noble Lord might with advantage be adopted. As regarded partridge, he thought it would be useless to make any change in the days, owing to the large quantity of corn which would be standing at any earlier period than that on which shooting now commenced. The birds would get into the standing corn, where they could not be shot, and ought not to be followed.

MR. MELDON said, the alteration which was proposed in the law relative to the commencement of the season for grouse in Ireland would be very prejudicial to the interests of sportsmen themselves. It must be admitted that Ireland at one period afforded very little sport in

the way of grouse shooting. No doubt within the last few years the grouse had been increasing very rapidly in that country; but that increase was, he thought, entirely owing to the lateness of the season for the shooting of grouse. In Ireland it was to the mountains that they must look for the increase of grouse. In some districts, in consequence of the traffic over the bogs, the grouse undoubtedly became wild after the first one or two days' shooting; but that was not the case on the mountains in the West and South of Ireland, and in many parts of the North, where the grouse were as easily shot in September as in the month of August. He himself was about to take a moor in the county of Mayo, and he went down to have a look over the country. The owner of the moor gave them permission to have a day's shooting, and in the month of September they killed 20 brace of grouse there as easily as they could have done in August. As to partridges, he thought it would be most undesirable to alter the day for the commencement of the shooting, because undoubtedly the harvest in Ireland was so late that it would be impossible to shoot birds without doing a great deal of injury to the crops; while as to the question of poachers, it would not arise, for birds shot without having food which they had later in September would be utterly worthless for eating purposes, and no sportsman would care about shooting birds while they were in that miserable condition. He regarded the measure as a Bill for the destruction, rather than the preservation, of game; and, under the circumstances, he asked the House not to read it a second time.

SIR MICHAEL HICKS - BEACH said, he had not the personal experience of the last speaker, but he had studied the evidence taken by the Committee, and he could not admit that the hon. Member's description of the Bill was a just one. The main object of the Bill, and he thought also the main object of the Committee who reported upon the point, was to insure that game should be killed by those to whom it belonged; that the birds should not be shot prematurely by poachers and sold as English and Scotch birds. With regard to one objection, the Committee of last year, with every desire to ascertain the state of Irish feeling on the subject, could not have obtained better evidence

*Mr. Synan*

than they did, so that there seemed no prospect of improving upon it by referring the Bill to a Select Committee. Acting upon the Report of that Committee, his noble Friend (Viscount Crichton) had brought forward the measure, and he (Sir Michael Hicks - Beach) thought there was considerable force in the statement of his noble Friend that, after all, it was merely a permissive measure, for it enabled those who found a difficulty, if shooting was put off until late, to get an opportunity which they did not now possess; while with regard to the difference of time at which the birds matured in different districts, the dates of the 12th of August and the 1st of September applied to all England and Scotland, which embraced as great differences in the times at which the birds arrived at maturity as did all Ireland; and he did not suppose that in any part of Ireland the birds were later than in some parts of Scotland. The alteration of the date for grouse, no doubt, would prevent that illicit traffic which now existed so largely; but as to partridges, he was not quite sure that the right view was taken, for the date fixed was the 10th of September, and there was, therefore, a certain time left during which the illicit traffic in partridges might be carried on. That might be a subject for consideration in Committee; but from a study of all the evidence he believed it would be well to read the Bill a second time.

MR. MITCHELL HENRY said, that in Ireland the greatest difference of opinion existed about the Bill, for Lord John Browne, who was a large proprietor in Mayo, was in favour of assimilating the dates, while others were strongly opposed to it. As there was this difference of opinion he thought it desirable before legislation that there should be further investigation; and that the Government would do right in assenting to the subject being referred to a Select Committee.

MR. STORER, as an English sportsman, thought that game was much tamer in Ireland than in England. He wished to point out to hon. Gentlemen who were in favour of Home Rule, that that was a question which might very well have been decided in an Irish Parliament—supposing such an Assembly to have come into existence.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 141; Noes 60: Majority 81.

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *Tuesday 28th April*.

#### PARLIAMENTARY ELECTIONS (RETURNING OFFICERS) BILL.

On Motion of Sir HENRY JAMES, Bill to regulate the expenses and to control the charges of Returning Officers at Parliamentary Elections, *ordered* to be brought in by Sir HENRY JAMES and Sir WILLIAM HARCOURT.

Bill *presented*, and read the first time. [Bill 68.]

House adjourned at a quarter before Six o'clock.

## HOUSE OF LORDS,

*Thursday, 16th April, 1874.*

MINUTES.]—PUBLIC BILLS—*First Reading*—Gas Orders Confirmation \* (25); Local Government Provisional Orders \* (26).  
*Second Reading*—Middlesex Sessions (22).

SIR GARNET J. WOLSELEY.

#### MESSAGE FROM THE QUEEN.

Message from the QUEEN *delivered* by the Lord President, and read by the Lord Chancellor, as follows:—

"Her Majesty, taking into consideration the eminent services of Major-General Sir Garnet J. Wolseley, K.C.B., G.C.M.G., in planning and conducting the recent Expedition into Ashantee, and being desirous in recognition of such services to confer some signal mark of Her favour upon him, recommends to the House of Lords to concur in enabling Her Majesty to grant Sir Garnet J. Wolseley the sum of Twenty-five thousand pounds."

Ordered that the said Message be taken into consideration *To-morrow*.

MIDDLESEX SESSIONS BILL—(No. 22.)  
(*The Earl Beauchamp*)

#### SECOND READING.

Order of the Day for the Second Reading, read.

EARL BEAUCHAMP, in moving that the Bill be now read the second time, said, the object of this measure was to make a



better arrangement for salaries and remuneration of the Assistant Judge of the Court of Sessions for Middlesex, his Deputy, and the Chairman of the Second Court. The importance of this Court was, as their Lordships would readily conceive, very considerable. The number of cases tried in the Courts of Quarter Sessions in the counties and boroughs of England and Wales was last year 8,796, and of these no fewer than 1,763 were tried at the Middlesex Sessions, of which sessions there were 24 in each year; so that the duties of the Judge were very onerous. The arrangement as to the salary of the Assistant Judge made on the appointment of the late Sir William Bodkin was that he should receive a salary of £1,200 per annum from the Consolidated Fund, in addition to which the Act 22 & 23 Vic., c. 4, empowered the Justices of the County of Middlesex to pay a further sum of £300 per annum out of the county rates. This arrangement, however, was confined to the Judge then appointed and did not apply to his successors, and had consequently determined on the resignation of Sir William Bodkin. The object of the Bill now before their Lordships was to put the salary of the Assistant Judge on a definite footing, so that it would not be subject to periodical revision. Under the Bill the Assistant Judge would receive a salary of £1,500 per annum, one moiety of which would be paid out of the Consolidated Fund and the other out of the county rates of the County of Middlesex. The Bill also contained a clause regulating the payments to be made to the Deputy Assistant Judge, and to the Chairman of the Second Court whenever an additional Court should be found necessary. Each of these learned Gentlemen would receive five guineas a day for every day on which he should sit: the payments to be made out of moneys to be provided by Parliament.

*Moved*, That the Bill be now read 2<sup>a</sup>.

*Motion agreed to*; Bill read 2<sup>a</sup> accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

#### GAS ORDERS CONFIRMATION BILL. [H.L.]

A Bill for confirming certain Provisional Orders made by the Board of Trade under The Gas and Waterworks Facilities Act, 1870, Amendment Act, 1873, relating to Burnley,

*Earl Beauchamp*

Cork, Glasgow, Paisley, Weymouth, Wrexham, and Southport—Was *presented* by The Lord DUNMORE; read 1<sup>a</sup>. (No. 25.)

House adjourned at a quarter past  
Five o'clock, till To-morrow,  
Half past Ten o'clock.

## HOUSE OF COMMONS,

*Thursday, 16th April, 1874.*

MINUTES.]—NEW WRITS ISSUED—*For Hackney, v. John Holms, esquire, and Sir Charles Reed, knight, void Election.*

SELECT COMMITTEE—Explosive Substances, *appointed.*

SUPPLY — *considered in Committee* — Resolution [April 23] *reported.*

WAYS AND MEANS—*considered in Committee.*

*Ordered—First Reading*—Sale of Liquors on Sunday\* [69]; Cruelty to Animals Law Amendment\* [70]; Apothecaries Act Amendment\* [71].

*Second Reading*—Conveyancing and Land Transfer (Scotland) [60]; Harbour Dues (Isle of Man)\* [65]; Harbour of Colombo (Loan)\* [66]; Churchwardens\* [31], *put off.*

*Second Reading—Referred to Select Committee*—Holyhead Old Harbour Road\* [51].

*Committee—Report*—Mutiny; Marine Mutiny\*.

### CONTROVERTED ELECTIONS.

#### KIDDERMINSTER — HACKNEY.

MR. SPEAKER informed the House that he had received from the Judges selected for the Trial of Election Petitions, pursuant to the Parliamentary Elections Act, 1868, Certificates and Reports relating to the Elections for the Borough of Kidderminster; and for the Borough of Hackney. And the same were severally read.

In the matter of the Kidderminster Election:—A Petition against the late Return of Albert Grant, esquire, for the Borough of Kidderminster, having been duly presented, and afterwards application made for the withdrawal of the Petition—Mr. Justice Bramwell reported “that the withdrawal of the said Petition was not the result of any corrupt arrangement, nor in consideration of the withdrawal of any other Petition.”

In the matter of the Hackney Election:—Mr. Justice Grove certified that he had duly held a Court for the trial of the Election Petition for the Borough of Hackney, between William John Gill, Petitioner, and John Holms and Charles Reed, Respondents; and further certified—“That at the conclusion of the said trial I determined that the said John Holms and Charles Reed, being the Members whose Election and Return were complained of in the said Petition, were not duly elected and returned.”

### REGISTER OF PARLIAMENTARY AND MUNICIPAL FRANCHISES.—QUESTION.

MR. RATHBONE asked the Secretary of State for the Home Department, If

the Government will introduce a Bill to create only one register for both Parliamentary and Municipal Franchises, and otherwise remedy defects in the Registration Acts affecting Boroughs?

MR. ASSHETON CROSS: It is not the intention of the Government to bring in a Bill to create one Register for the Parliamentary and Municipal franchises, which would involve increase of the work, and therefore pay, of the Revising Barristers, and alterations in the times of revision or of municipal elections, and would at best produce two lists on one piece of paper so long as the franchises are distinct. But with regard to the last part of the Question, which chiefly relates to "frivolous objections," that matter is under the consideration of the Government.

METROPOLITAN POLICE—EX-CONSTABLE GOODCHILD.—QUESTION.

SIR CHARLES W. DILKE asked the Secretary of State for the Home Department, If it is true that, by the direction of the Commissioners of the Metropolitan Police, the money raised by the police will not be handed to Henry Goodchild, late a constable in the Force, such money and subscriptions having been promised to Henry Goodchild in order to recoup him for expenses incurred when seeking for an increase of pay, which was subsequently granted?

MR. ASSHETON CROSS: I believe a subscription was made and handed to H. Goodchild during the time that meetings were held on the subject of an increase of pay; but no instructions either to pay or withhold it were given by the Commissioners. Subsequent to that, so far as I am aware, no money or subscriptions have been raised by the police and promised to H. Goodchild in order to recoup him for expenses incurred when seeking for an increase of pay, and therefore no directions have been given by the Commissioners to withhold it. Subsequent to the dismissal of H. Goodchild from the police force application was made by him to the Commissioners to sanction a subscription to meet certain charges for which he was held liable in connection with these proceedings. He was informed that if a correct statement of the expenses incurred by him on account of police meetings held prior to the 16th of November, 1872, supported by vouchers, &c., were fur-

nished, it would be considered whether, consistently with the Secretary of State's instructions, a police subscription could be authorized, and it was added that a subscription for expenses incurred subsequent to his dismissal could not be sanctioned.

ARMY—SUPERSESSION OF COLONELS  
—ROYAL AND INDIAN ARMY.

QUESTION.

GENERAL SHUTE asked the Secretary of State for War, If he intends to take steps to carry into effect the Recommendation of the Royal Commission, presided over by Lord Cairns, and, "by suitable arrangements in the British service," remove the hardships and inconveniences complained of by the Colonels in the Army in respect of their supersession by Colonels in the Indian Army, their juniors?

MR. GATHORNE HARDY: Lord Cairns' Commission reported that "the Crown could not, consistently with the good faith of the guarantee of 1858, diminish the opportunities of promotion of the officers of the Indian Army" for such purposes as were suggested on the inquiry. They added an opinion that "the hardships and inconveniences" resulting ought to be removed by "suitable arrangements in the British Army," "the nature of which," they said, "it was not for them to indicate." That Report was made in March, 1871, since which time nothing has been done. In the meantime, supersession has gone on, remedied as before, by ante-dating the commissions of English colonels when they are promoted to be major-generals, and by the rank of the Indian major-generals being local in India. This will continue for seven or eight years longer, and at present I do not see my way to any more complete remedy than has been applied. I am not insensible of the grievance, but it seems to me that it is dying out in a way that will remedy itself.

IRELAND—CONTAGIOUS DISEASES  
(ANIMALS) ACT.—QUESTION.

SIR ROBERT BUXTON asked the Chief Secretary for Ireland, If it is the intention of Government to carry out the recommendation of the Select Committee on the Contagious Diseases (Animals) Act of last year, and extend



to Ireland the order now in force throughout Great Britain for the compulsory slaughter of all cattle afflicted with pleuro-pneumonia?

**SIR MICHAEL HICKS-BEACH:** In answer to the hon. Baronet I desire to state that it would be impossible to extend to Ireland the order for the compulsory slaughter of cattle afflicted with pleuro-pneumonia, owing to a legal difficulty of a technical character, which has interfered with the process of raising funds for the administration of the Cattle Diseases Acts and for the payment of the expenses that would be incurred by compulsory slaughter such as that referred to. However, that difficulty will, I hope, be remedied by a Bill which has already passed this House, and the Irish Government has under its very careful consideration the question to which my hon. Friend refers. There are, however, still difficulties connected with the matter, arising from the manner in which the Cattle Diseases Acts are administered in Ireland, and I hope my hon. Friend will understand that I do not give any pledge upon the action that may be taken.

#### ADULTERATION OF FOOD ACT, 1872. QUESTION.

**MR. MUNDELLA** asked the Secretary of the Local Government Board, What steps are being taken to prevent the importation of adulterated articles of food into this country, and to relieve honest traders from their liability to conviction under the Act of last year for the sale of articles adulterated by the foreign producer, and on which Customs Duties have been paid?

**MR. SCLATER-BOOTH:** Any proceedings for the purpose of preventing the importation of adulterated articles of food must, under the existing law, be taken by local authorities and not by the Government. With regard to the second part of the Question, many memorials have reached me complaining of the hardship inflicted on dealers, and especially on retail dealers, by the operation of the Adulteration Act of 1872. The Government have taken their complaints into consideration and have determined to ask the House to appoint a Select Committee to inquire into the subject. I propose to give Notice of a Motion to that effect on an early day.

*Sir Robert Buxton*

#### COMMITTEE ON CIVIL SERVICE EXPENDITURE, 1873.—QUESTION.

**MR. RATHBONE** asked the First Lord of the Treasury, Whether it is the intention of Her Majesty's Government to propose that the inquiry entrusted to the Select Committee on Civil Services Expenditure 1873 should be continued in the present Session of Parliament, in accordance with the recommendation of that Committee?

**MR. DISRAELI:** No, Sir, it is not the intention of Her Majesty's Government to propose that that inquiry should be continued.

#### EGYPT—ALEXANDRIA AND RAMLEGH RAILWAY COMPANY.—QUESTION.

**MR. W. LOWTHER** asked the Under Secretary of State for Foreign Affairs, If there has been any settlement of the dispute between the Egyptian Government and the Alexandria and Ramlegh Railway Company?

**MR. BOURKE:** The Papers laid on the Table last year will show what was the state of the question at that time. Since then two letters have been addressed by the Directors of the Company to Lord Granville in September and October last. They do not materially affect the position of the controversy, and since that time there has been no change, as far as we know, in the state of affairs. No reference has been addressed on the subject to the present Government.

#### NEW COURTS OF JUSTICE—THE CONTRACT.—QUESTION.

**MR. WAIT** asked the First Commissioner of Works, What is the amount of the revised Contract for the erection of the New Courts of Justice; and is there any objection to lay the Drawings upon the Library Table, for the inspection of Members?

**LORD HENRY LENNOX,** in reply, said, the contract with Messrs. Bull for the superstructure of the New Law Courts was £693,429. This sum did not include the expense of the fittings or works connected with warming, lighting, and ventilating the Courts. The total cost of these, with architect's commission and Clerk of Works' salary, would amount to £826,000. He regretted he could not place the drawings and plans of the New Law Courts in the

Library. The contract having been signed, these drawings, which amounted to 250 in number, were attached to and could not be detached from the contract, which was deposited in the Office of Works for safe custody; but if the hon. Member would favour him with a visit he would be happy to do his best to explain the plans.

#### NATIONAL GALLERY—THE CENTRAL OCTAGON HALL.—QUESTION.

MR. WAIT asked the First Commissioner of Works, What is the object of the iron-girded excrescence that has lately appeared on the roof of the National Gallery, and whether it is intended to be a permanent structure; and, if so, how it is proposed to conceal it?

LORD HENRY LENNOX, in reply, explained that the "excrescence" formed the dome of the Central Octagon Hall of the Galleries now in course of erection, and alluded to by the hon. Member for South Hampshire (Mr. Cowper-Temple) on Tuesday, and that it was therefore intended to be permanent. As to how long this dome should be visible from the street he must refer his hon. Friend to his two right hon. Friends the Prime Minister and the Chancellor of the Exchequer, to ascertain what sum of money they were willing to allow him to re-model the present façade of the National Gallery and hide the "iron-girded excrescence" from view.

#### METROPOLIS—WORMWOOD SCRUBS.

##### QUESTION.

SIR CHARLES W. DILKE asked the Chairman of the Metropolitan Board of Works, Whether the Metropolitan Board propose to take any steps to prevent the possible future exclusion of the public by the War Office from the Metropolitan common of 170 acres, known as Wormwood Scrubs, over which the War Office are endeavouring by negotiation with the copyholders to acquire absolute rights?

COLONEL HOGG: In answer to the Question of the hon. Baronet, I beg to state that the attention of the Board was some time ago directed to Wormwood Scrubs, and inquiries were made, but no definite action could be taken. I will take care that the attention of the Board shall again be drawn to the subject.

#### NAVY—THE INDIAN STATION.

##### QUESTION.

MR. T. E. SMITH asked the Under Secretary of State for India, Whether it is true that an Officer of the Royal Navy has been or is about to be appointed Inspector of Her Majesty's Ships on the Indian Station; and, if so, whether his salary, said to be 3,000 rupees per month, will be paid by the Indian Government; whether his duties will be such as could not be discharged by the ordinary establishment of Naval Officers on the Station; and, whether the Officer in question has had any special training or experience to fit him for the discharge of such duties?

LORD GEORGE HAMILTON, in reply, said, that, with the sanction of the Admiralty, Captain Bythesea, an officer of experience and scientific attainments, had been appointed Consulting Naval Officer to the Marine Department of the Indian Government. His salary would be 2,500 rupees per month, and an allowance of 250 rupees would be made to him for a house, which would be paid out of the Indian revenues. He was appointed for five years. The duties, it seemed, were not such as could be properly discharged by any officer in the ordinary service.

#### ARMY—STAFF APPOINTMENTS—QUEEN'S REGULATIONS.

##### QUESTION.

CAPTAIN NOLAN asked the Secretary of State for War, If his attention has been drawn to the alteration which has been recently made in section 5, paragraph 59, of the Queen's Regulations, and if the effect of this alteration will be to throw open all staff appointments, not of the three lowest grades specified in the altered paragraph, to Officers who have not passed the final examination of the Staff College, and who do not come under the exceptional heads of Royal Engineers, or of Officers distinguished for ability in the field?

MR. GATHORNE HARDY: The alterations which were made in 1873 in the Queen's Regulations, 1868, will have the effect of throwing open the higher Staff appointments to all field officers of the Army who qualify under Clause 56 of the 5th section. The personal Staff appointments are governed by Clause 60.

METROPOLIS—THAMES EMBANKMENT.—QUESTION.

MR. FORSYTH asked the First Commissioner of Works, To inform the House in whom the ownership is vested of the piece of land on the north side of the Thames Embankment, between Hungerford Bridge and the gardens of Montagu House, and how long it is intended to allow the same to remain unoccupied and waste?

MR. W. H. SMITH, in reply, said, that the land referred to by the hon. Gentleman was the piece of land which was marked on the plan in the Schedule to the Thames Embankment (Land) Act of 1873 as belonging to the Crown. By that Act the Metropolitan Board of Works, in the event of their acquiring Northumberland House, were empowered to acquire also the land in question for the purposes of a public garden. An agreement had now been entered into with the Duke for the purchase of Northumberland House on July 7, and land would then be conveyed by the Crown to the Metropolitan Board of Works, and would be laid out as a garden in accordance with the Act.

EXTINCTION OF TURNPIKE TRUSTS—LEGISLATION.—QUESTION.

SIR GEORGE JENKINSON asked the President of the Local Government Board, Whether, in consideration of the constantly increasing expenses which are thrown on to separate parishes by the partial and piecemeal extinction of Turnpike Trusts, and seeing also that the maintenance of all roads is rapidly becoming a charge on real property only, involving a very large additional amount of local taxation on the ratepayers, Her Majesty's Government intend, in accordance with the repeated recommendations of the Select Committee on the Turnpike Continuance Act, to provide by legislative enactment, during this Session, for the more general and simultaneous extinction of all remaining Trusts, and for the future maintenance, on a comprehensive and equitable basis, of all Turnpike and other Roads of which the Trusts have been or may hereafter be abolished; and, whether they intend to rectify the evils necessarily resulting from the Highway Acts of 1862 and 1864 being only permissive and optional, by making those Acts compulsory?

MR. SCLATER-BOOTH: In reply to my hon. Friend's first Question, I cannot hold out any hope that the Government will be able to introduce a Bill on the subject this Session. As my hon. Friend well knows, it is in the power of counties to mitigate the hardships thus inflicted on parishes by adopting the provisions of the Highway District Act, and it might seem a simple matter to introduce a Bill to make that Act compulsory; but, to do so, would possibly prejudice the future consideration of the other matters referred to in his Question, and I wish, therefore, to take further time before giving a final answer on this point.

METROPOLIS—THE THAMES EMBANKMENT—ACCESS FROM THE STRAND.

QUESTION.

SIR GEORGE JENKINSON asked the Chairman of the Metropolitan Board of Works, If there is any intention of opening out additional means of access to the Thames Embankment from the Strand, for either foot passengers or vehicles, between the points of Charing Cross and Blackfriars Bridge, with a view to relieve the overcrowded traffic of the Strand, and to render the Embankment more useful to the public?

COLONEL HOGG, in reply, said, it was not the intention of the Metropolitan Board of Works to make fresh approaches to the Thames Embankment, as they hoped the new street from Charing Cross, which would soon be made, would tend to relieve the traffic of the Strand, and thereby be of convenience to the public.

EDUCATION (SCOTLAND) ACT—BUILDING GRANTS—QUESTION.

SIR ROBERT ANSTRUTHER asked the Vice President of the Committee of Council on Education, If he will state to the House the decision arrived at by the Department on the subject of the restrictions regarding the size and arrangements of schools in Scotland, recently brought under his notice by a deputation from Scotland?

VISCOUNT SANDON: I am glad to have an opportunity of replying to the question, as the Motion appears to have excited considerable interest in Scotland. When the Lord President and myself entered the Education Office we received

a request from the Glasgow School Board to waive the rules of the Department under which all the Scotch school boards had been notified that building grants were made respecting the shape and arrangement of fittings of the school rooms. This was no slight matter, as under these rules all grants for English and Scotch schools before the Scotch Act of 1872 had been made—for schools the total cost of which amounted to £6,000,000; and the School Boards generally in England were expending some £2,500,000 more under much the same regulations, which were the result of the large experience of the Department. We thought it well, therefore, before coming to a decision on the subject, to hear the opinions of Scotch Members on both sides of the House, and also to communicate with other school boards. For this purpose we requested a deputation from Scotland to meet us, which consisted of Members from all parts of the country, and of the Chairmen of the Edinburgh, Glasgow, Govan, Paisley, and Dundee School Boards. Their opinion was unanimous as to the earnest desire of Scotland for greater freedom as to the size and fittings of the new Board schools, and, at the request of the Lord President, drew up a statement of the changes which would meet the wishes of the country. We thought those changes reasonable, and have drawn up the following regulations in exact accordance with them, which I will read:—

“1. That the regulations in regard to the width of school-rooms of which the area exceeds 500 square feet be altered to give liberty to School Boards to adopt any width up to 32ft., and

“2. That, in the case of all schools, the School Boards be left free in regard to the arrangement of the furniture.”

We were bound, I think, to inform the School Boards of what the great experience of the Department showed to be the best form for the rooms and the best arrangement of fittings; but, having done that, I think we are right in leaving as much latitude as possible to the school boards, who are ultimately responsible for the success of the schools, and I have no fear myself that, though according to English ideas the arrangement may not be the best, the zeal and earnestness for education which characterize so remarkably both teachers, pupils, and parents in Scotland will not

permit the education in those schools to be inferior to our own.

SIR ROBERT ANSTRUTHER said, that in consequence of the nature of the Answer, he should not bring on the Motion on this subject of which he had given Notice for to-morrow.

SIR GARNET J. WOLSELEY.

MESSAGE FROM THE QUEEN.

Message from Her Majesty *brought up*, and read by Mr. Speaker (all the Members being uncovered), as follows:—

VICTORIA R.

Her Majesty, taking into consideration the eminent services of Major General Sir Garnet J. Wolseley, K.C.B., G.C.M.G., in planning and conducting the recent Expedition into Ashantee, and being desirous, in recognition of such services, to confer some signal mark of Her favour upon him, recommends to Her faithful Commons that She should be enabled to grant Sir Garnet J. Wolseley the sum of Twenty-five Thousand Pounds.

Referred to the Committee of Supply.

WAYS AND MEANS—FINANCIAL  
STATEMENT.—COMMITTEE.

WAYS AND MEANS *considered* in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER: Sir, I shall not detain the Committee by any prefatory observations, but will proceed at once to state the results of the finances of the year which has just expired—the year 1873-4. And I will begin—although the figures have been already published and are known to hon. Members—by stating what were the Expenditure and Revenues of that year. The right hon. Gentleman opposite the Member for the University of London, in his Budget Statement last year, estimated the Expenditure for the year 1873-4 at £75,071,000, including in that amount the whole of the Alabama Award. The actual Expenditure, including the payment of the Alabama Award, has been £76,466,500, or £1,395,000 in excess of that Estimate. That, as the Committee will readily understand, is mainly due to that unforeseen event, the Ashantee War, the expenditure for which, in the year 1873-4, has been £800,000. I believe I may say, in passing, that very probably the Vote taken for the Ashantee War of £800,000, with perhaps a Supple-



mentary Vote of some £70,000 or £80,000 in the present year, will cover the whole expense of that very successful expedition. (And here I cannot refrain from congratulating my predecessors, and especially my noble Friend Lord Cardwell, on the economical as well as the extremely able and satisfactory manner in which the expedition has been carried into effect.) There were, of course, as is always the case—indeed, I may say, as is now always the case—some Supplementary Estimates in the course of the year, and there were some savings upon the Estimates which had been adopted in the beginning of the Session. I do not think, however, the Committee will care that I should go in detail through these savings and Supplementary Votes, which are comparatively small. They make—after deducting the savings from the Supplementary Estimates—a balance, as against the year, of £595,000 above the Vote of Credit. I may mention among the savings one of some interest—that on the amount estimated for the Army Purchase. I think the amount taken for Army Purchase was £842,000, while the amount actually expended was £714,000. I mention the circumstance because there is some uncertainty with regard to these Estimates of the Army Purchase. The Votes have been founded on certain calculations of the actuaries, and some of these calculations have not been verified. I find that in the first year, 1871-2, the actuaries assumed an Expenditure under this head of £1,160,000; whereas the actual demand was only £340,000. The difference, I believe, was owing to the system not beginning as early as was expected when the actuaries made their calculation. For the following year the actuaries assumed £1,107,000; and the actual demand was £946,500. Last year, when the actuaries assumed £874,609, the actual demand only amounted to £714,000. I may so far anticipate the estimated Expenditure of this year as to say that the Estimate is £658,000, as against the actuaries' calculation of £763,000. We believe the amount will be below the actuarial estimate, as in former years; but that must be considered a matter of some uncertainty, and it is a matter which is not within the control of the Government.

I will now proceed to mention the results of the Revenue of last year.

*The Chancellor of the Exchequer*

The Budget Estimate of the Revenue was £73,762,000, and the actual receipts were £77,335,657, showing an excess of £3,573,657 of actual Revenue over the Estimate. But I must explain that a portion of this excess is only nominal. There was, as hon. Members of the late Parliament will remember, some irregularity discovered last year in the accounts of the Post Office with regard to the expenditure in the Telegraph Service, and the result was that it was found the sum of £800,000, which ought to have been carried to the account of the year before, had not been properly carried to account. The sum was borrowed in the way in which the other expenditure on the Telegraphs had been provided, and the sum so borrowed was carried to the Revenue of last year. Accordingly there was a nominal addition of £800,000 to the Revenue of last year. Deducting that, the real excess of the receipts of last year over the estimate is £2,773,657. It will be in the recollection of those who were present when the last Budget Statement was made, that considerable doubt was expressed by many persons as to whether the Estimates of the Chancellor of the Exchequer were not too sanguine; but the result of the year shows that instead of being too sanguine he was within the mark. The same result was attained last year as has been attained for several successive years in an enormous, and, though hardly an unexpected, a very remarkable extension of the receipts from the Customs and Excise. It may, perhaps, interest the Committee to know what the principal heads of Revenue were last year, and what their relation was to the estimates of the Chancellor of the Exchequer. The Customs Revenue, which he took at £19,603,000, actually yielded £20,339,000, being an excess of £736,000. The right hon. Gentleman's estimate of the Revenue from the Excise was £25,747,000; it yielded £27,172,000, showing an increase of £1,425,000. There is also an increase of £500,000 on Stamps; and with regard to the Post Office and other heads of receipts there were also increases. There was a falling off in the amount of Telegraph Service, and likewise some falling off in the Land Tax and House Duty; but they are not considerable. The main feature of the year was the great increase on Customs and Excise; and, as the House

will probably be prepared to hear, far too large a proportion of the increase, from both these sources of Revenue, was due to the consumption of spirits. That is a matter which if it be in some sense one of financial congratulation, is a much greater and higher matter of regret. At the same time, we must take note of it financially, as showing that the consuming power of the people is still unimpaired. There is at least this satisfaction—that if you compare the consumption by the people of other articles than spirituous liquors you will find the consumption is increasing in other articles as well as in this. It appears, therefore, that there is a general power of consumption which is developing itself among the people at large, and although no doubt spirits get a very fair and perhaps an undue share of it, yet if I were to give the Committee the figures—which I cannot conveniently do just now—of the consumption of bacon, butter, cheese, corn, and many other articles, independently of tea and sugar—they would see that there has been, and is, a continuous and largely increased consumption of these articles as well as of those more questionable articles, spirits and tobacco. With regard to spirits, the increase of the Customs Revenue above the Estimate was about £450,000; and upon the Excise there was a still larger increase. The net result of last year shows that there was a surplus of Revenue over Expenditure of £869,157.

I will not detain the Committee longer by dwelling on the finance of last year, because what I have to say on the finance of the present year is of more immediate and pressing interest, and I think I had better proceed to it as soon as possible. Perhaps I had better begin by mentioning the estimated Expenditure of the year which is before us. The estimated Expenditure for 1874-5 is £72,503,000, as compared with £76,627,000 granted last year. Of course, I am comparing my Estimates, not with the Budget figures, but with the actual grants, including both the payment of the Alabama Award £3,200,000, the cost of the Ashantee War £800,000, and the various Supplementary Estimates to which I have before referred. The actual Expenditure of last year was £76,466,500; the Expenditure estimated for the present year is £72,503,000, showing a de-

crease in the anticipated Expenditure of this year as compared with the actual Expenditure of last year of £3,963,500. The various items of Expenditure are as follows:—The interest of Debt is taken at £26,700,000, being £50,000 less than it was last year. Other Consolidated Fund charges are taken at £1,580,000, against £1,570,000 last year. The Army charge is taken at £14,485,000, against £14,416,000 last year—showing an increase of £69,000. The Purchase Commission, as I mentioned before, is taken at £658,000, against £842,000 last year. The Navy Estimate is £10,180,000, against £10,005,000 last year. The Civil Services are taken at £11,287,000, against £11,594,000 last year—showing a decrease of £307,000. The Post Office expenses are taken at £2,882,000, against £2,745,000 last year—showing an increase of £137,000. The collection of Customs and Inland Revenue is taken at £2,694,000, against £2,699,000 last year. The collection of Telegraph Service Revenue is taken at £938,000, against £858,000 last year. The Estimate for the Packet Service is £999,000, against £1,148,000 last year. The Alabama Award, of course, does not appear in the present year; and the Ashantee War stands for a Vote of Credit of £100,000, as against £800,000 last year:—the whole giving, as I have said, for the present year, a total of £72,503,000, against £76,627,000, the amount of the grants last year. The Estimates of Expenditure are, of course, the Estimates of our predecessors. They have been examined and accepted by my Colleagues, I believe, with very slight alterations; and I hope it may be found that they will be substantially the Estimates which we shall go through the year with. But, as I said in the beginning, one can never feel very sure on the subject. There are such things as Supplementary Estimates, and very few years pass in which Supplementary Estimates have not to be proposed to the amount of £300,000, or £400,000, or so. Whether that may be the case this year, or whether we shall be so fortunate as to escape that unpleasant necessity, I cannot predict. But though there are sure to be, generally speaking, Supplementary Estimates, you have always to set against them on the other side the savings which are made where estimates have been prepared in a careful manner and with



due caution, and where it is found that the Services do not cost the whole of what has been provided for them. I hope, therefore, we may look at this Estimate of £72,500,000 as giving a fair prospect of the total Expenditure for the year upon which we have entered.

Well, Sir, having said so much as to the Expenditure, I come now to the much more difficult task of estimating the Revenue with which we are to meet it. The Revenue which we received last year, as I have already stated to the Committee, shows a very good margin over the estimated Expenditure of the year that we are now entering upon. But the question is whether we are to take the Revenue of the past year as the standard for the Revenue of the coming year, or whether we are to adopt an Estimate somewhat lower or somewhat higher than that standard. Now, that is a question which, of course, gives occasion for considerable divergence of opinion, and during the time we have held office we have observed various opinions, widely differing one from another, which have been put forward by persons of authority upon the prospects of the coming year. There are some who say that the condition of trade is unsatisfactory, and that the prospects of employment among the people are by no means encouraging; and they foretell that we shall find a falling-off in the consumption which is the mainstay of our Customs and Excise Revenue. There are others who take a different view, and who tell us that the progressive increase of the Revenue which they have observed now for so many years is likely to continue, and to continue even at an augmented rate. It is, of course, a matter of importance with a view to the regulation of the Finance of the year that we should arrive at as sound a judgment upon these matters as we can; but we must bear in mind that, however cautious and careful we may be, we are always liable to possible disappointment.

And here I must remind the Committee of the remarkable statement which was made by a very high authority in the month of January of the present year. In the month of January of the present year, the late Prime Minister—one of the very highest financial authorities, perhaps I may say of this century—who held at the time the office not only of Prime Minister and First Lord of

the Treasury, but that of Chancellor of the Exchequer also, and who had devoted his attention for several months to the study of the position of our Finance—in an address which he thought it right to put forth to his constituents, announced beforehand that, as far as he was able to calculate, upon the best information that he could collect, the Surplus which we might expect in the coming financial year, if no great misfortune were to happen, would exceed rather than fall short of £5,000,000. That statement was, as I remember, received at the time by the country with some incredulity, and was a good deal criticized in the Press and upon the hustings. I myself never ventured in any degree to challenge the calculations upon which I felt sure my right hon. Friend the late Prime Minister must have made that statement. I knew he was not a man who would be likely to be deceived in these matters, or to risk his high reputation by making a reckless statement upon so grave a subject, and I therefore anticipated that when the time should come for him to make his Financial Statement in the House of Commons, he would be in a position to show that his Estimate had either been realized, or that he was deceived owing to some circumstances which could not then be anticipated. When we acceded to office, I was very shortly put in possession by the officers of my Department of the calculations upon which the right hon. Gentleman had founded the statement which he made, and I found, as I had expected, that these calculations had been made in the usual manner by the officers of the Revenue with great care, and in considerable detail, and I am bound to say that they entirely justified the expectations which the right hon. Gentleman had in his mind at the time he penned the address to which I have referred. Of course, Sir, we have had to consider what changes may have come about since then—what circumstances may have arisen which might in any way have altered the judgment which the right hon. Gentleman formed in the month of January. There were still two months to expire before the close of the financial year, and much might happen in those two months. During the time I have held office I have been in constant—I may say in daily—communication with the heads of the great Revenue

*The Chancellor of the Exchequer*

Departments, and I have more than once in the course of that period—in fact, two or three times—asked them to review and revise their estimates with the accruing knowledge which week by week continued to furnish. Undoubtedly, in one respect, the calculations of the late Prime Minister have been to a certain extent disappointed—that is to say, the Revenue which he anticipated from Customs and Excise for the year now last past was not in some articles realized; and probably for this reason—that the very fact of the publication of the announcement that there would be a surplus of £5,000,000, and that it would be the duty of the Government of which he was the head to propose considerable remissions in the duties upon articles of consumption, naturally had its effect upon the markets. It can be no cause of surprise to anyone that it should have occasioned a check in the taking out of articles of consumption—especially those which are called “break-fast-table” articles. Therefore, the Revenue from those articles for the year ending the 31st of March last did not entirely come up to what the right hon. Gentleman had anticipated, and the same cause has to a great extent affected the Revenue of the present month. The knowledge that there was a large surplus, and the probability that some portion of it might be devoted to the taking off of duties upon articles of consumption, had its natural effect upon the markets, and must have deranged the trade in those articles under the circumstances. That is one of the penalties we pay for levying a part of our Revenue in the very convenient form of Customs’ Duties. Still, the result of the calculations of the experienced officers who preside over the Customs and Revenue Departments is this—that they anticipate as large an increase as before upon the different heads of Revenue with which they are conversant—perhaps, even a still larger increase than that which they anticipated at the time when they gave their estimates to the right hon. Gentleman.

Now, under these circumstances, the position of the Chancellor of the Exchequer is one of some anxiety. I had to decide on making important recommendations to my Colleagues. I had not simply to take the estimates of the heads of the great Departments, and say—

“These are their estimates; I have nothing to do with them but to accept them.” On the contrary, I have had to decide, on my own responsibility, whether I could recommend my Colleagues to take those estimates; and, looking to all that one hears from different quarters, it has been a matter of some anxiety to me whether I should recommend to my Colleagues, and to them whether they should accept, the estimates given in to us. But, after the fullest consideration, we see no reason why we should distrust estimates which have been framed by men who are so thoroughly conversant with the subject-matter to which they relate—men who have been in the habit of watching the barometer in these matters, and of observing the course of business throughout the country, how consumption proceeds, and how the evidences of the consuming power among the great mass of the population bear on the financial prospects of the year. It is perfectly true that there are many persons of authority who tell us, as we have been told before—and as, perhaps, we may be fairly told—that we must expect difficulties and checks in the commercial prosperity of this country—that there will be industries in which there may be rather less expenditure in wages and otherwise than last year. Still, we have thought that the wise and prudent course—that course which is dictated by what I would call the true spirit of caution as distinguished from the spirit of timidity—is to take the estimates which have been presented to us, and found our calculations upon them. Of course, it would be perfectly possible for us to come to the House of Commons, and say—“We have had certain estimates laid before us, but we have shrunk from presenting them.” Or it would be possible to conceal the fact, and, as it were of our own motion, to lay before you a Statement founded on less sanguine anticipations. It would, of course, be possible to do this; and in that way we might think we kept ourselves safe. I think it is a more candid and a more satisfactory course that we should tell the House of Commons and the country what the anticipations are which have been formed; what the estimates are which have been drawn up; that we should then think of the circumstances which should lead us to be cautious in

acting upon these estimates; and that we should not, in framing our measures and recommending them to Parliament, take an over-sanguine view of what may be expected, but take a cautious view of the way in which we ought to act on what we have before us. There are some things about which we should be very cautious. We must take care, above all things, that we do not go wildly into expenditure, because this is an obvious lesson to learn when our Revenue is in a condition in which an accident may disappoint our expectations; we cannot do wrong in keeping down expenditure, so long as we do not sacrifice efficiency in so doing. But beyond that I think we should be unwise if we were too closely and too timidly to refuse to "lighten the springs of industry," as the phrase is, and to take off burdens which affect the industry of the country. If it be true that the commercial interests of the country are not in quite so satisfactory a condition as we could wish—if it be true that there are symptoms of a strain being put upon industry—the proper prescription for a wise financial doctor to apply is not unnecessarily to burden its springs, but to endeavour, as far as possible, to ease industry by relieving it of the pressure which unnecessary taxation places upon it. It is, therefore, in that spirit we shall proceed to deal with the surplus of Revenue which we consider we shall have on hand.

With an apology to the Committee for having made these prefatory remarks, I will proceed to state what are the Estimates of the different sources of Revenue placed in my hands. The estimates of Revenue for the coming year are as follow:—Customs are taken at £20,740,000, as against £20,339,000 last year—allowing for an increase of £400,000. The Excise is taken at £28,090,000, as against £27,172,000—allowing for an increase of £918,000 on last year. Stamps are taken at £10,880,000, as against £10,550,000 last year—allowing for an increase of £330,000. Land Tax and House Duty are taken at £2,360,000, against £2,324,000 last year—allowing for an increase of £36,000. The Income Tax is taken at £5,500,000, against £5,691,000 last year—a decrease of £191,000, which is of course due to the fact that the Income Tax for the past year was at 3*d.*, whereas in the previous

year it was at 4*d.*, and there remained to be collected at the beginning of last year certain arrears of Income Tax at the rate of 4*d.* The Post Office is taken at £5,300,000, against an apparent Revenue last year of £5,792,000—showing a decrease of £492,000. Of the £5,792,000, £652,000 was due to the Revenue improperly detained in connection with the Telegraph Expenditure. We take the estimate for the Telegraph Service at £1,250,000, against £1,210,000 last year—an increase of £40,000. The Crown Lands we take at £375,000—which is the same as last year. The Miscellaneous Revenue is calculated upon the principle upon which it was estimated when the estimate of January was formed. The Miscellaneous Estimate was taken at £3,500,000, against £3,882,657 last year—of which £148,000 was a repayment to Revenue of the extraordinary receipt for the Telegraph Service. The net result is that the Estimate for this year amounts to £77,995,000, against £77,335,657 last year; and as compared with our Expenditure of £72,503,000, it leaves a surplus of no less than £5,492,000.

The Committee will bear in mind that this Estimate has been framed upon a principle which has been gradually introduced and partially acted upon in the framing of the Estimates, but which has not been fully adopted until this year, and that is the taking into account of the expected increment of the Revenue for the coming year. Some years ago the practice was to take the Revenue on an average of years, and to estimate the Revenue of the coming year upon that average. After a time it became the practice to take the Revenue of the year immediately preceding as the Estimate for the next. Now, we find that every year the increase of population and other circumstances lead to an increase in consumption, and it has gradually become the practice to take the estimate of the Revenue at a higher amount than the actual yield of the past year; and upon that principle the anticipated increase of Revenue has been fully taken into consideration in framing the estimates laid before you. I mention that because it is a circumstance which ought to induce additional caution in considering Expenditure or other proposals to deal with the Revenue.

Speaking of the estimate of Miscella-

neous Revenue, I said it amounted to £3,500,000, upon the principle upon which the calculation was made when the estimate of January was formed; but I have not quite done with the wonders I have to lay before the Committee. The Committee are aware that it is the habit of the State to make advances to various undertakings, and to make them upon terms which insure repayment at certain times with the addition of interest. That interest has hitherto been always treated as part of the repayment, and has been carried into the balances of the Exchequer; but the Controller and Auditor General, in his Report on the Consolidated Fund Charges, has recently drawn attention to the fact that the interest ought to be treated as Revenue; and when once the fact is brought under notice, and when you are challenged to say whether it is or is not Revenue, it is impossible to deny that it does form part of the Revenue of the country. Therefore, we have determined that in future, and in the present year, it ought to be added to the Miscellaneous Revenue. I am not able to state precisely what the item will be this year. Although we have an exact account of the English advances, the account of the Irish advances is not kept in a form which at once shows how much of the repayment is interest and how much is principal, and it will require some calculation to ascertain the amounts—there can be no doubt that the operation is one which is not beyond the resources of Irish science—I may, however, calculate that the whole amount will not be less than about £500,000, and therefore the surplus, which I have taken at £5,492,000, will, as nearly as possible, or perhaps may fully reach the extraordinary amount of £6,000,000.

The right hon. Gentleman opposite (Mr. Lowe), some years ago, when he had described the amount of the surplus he had presented to the House, though it was much smaller than the amount I have named, asked the question—“What are we to do with all this money?” I must say that if he was obliged to ask the question then, I am still more obliged to ask it now. It is not that I have not had advice on the subject; I have had a great many deputations, and I have found the truth of the old proverb that “in the multitude of counsellors there is safety.” There was, in truth, something alarming about their demands,

for out of about £66,000,000 of properly called disposable Revenue they proposed among them to sweep away about £55,000,000. Nevertheless, I found very commonly that either a deputation answered itself, or that one deputation answered another; or if they did not do that, the Press were generally good enough to answer them next morning. For my part, I thought it was the most dignified course I could adopt to listen to all they had to say, and to say nothing myself in return. I believe that I acquired the reputation which Horace said he acquired among his friends—

“*Scilicet egregii mortalem altique silenti.*”

Upon the whole I thought it best to wait and see what was the effect of all the advice. There has been a great deal of advice tendered to me besides what came from the deputations. I have to thank a right hon. Gentleman opposite (Mr. Baxter) for some of the help which came to us, and which wound up with a proposal—not before made—to take off the gun tax. But of all the advice which has been tendered that to which, of course, the highest respect and consideration was due is that which was contained in the programme sketched out by my right hon. predecessor. It has been impossible not to wish sometimes that the plan which he partially sketched out could have been laid before us more completely; it has been impossible to restrain a wish of the poet that we could call up him—

“Who left half told  
The story of Cambuscan bold,”

that we might have known what the proposed “adjustments of taxation” were—that we might have known in what way he hoped to realize the magnificent promises with which the statement opened, until we reached that “readjustment” which reminded us of the poet’s “but yet,”—

“A gaoler to bring forth  
Some monstrous malefactor.”

But, Sir, we have been unable to find in this advice anything to give us a guide that we could completely follow; we have been obliged to rely on ourselves—to take counsel with ourselves—and we find it our duty to present to the Committee the best advice we can tender to them.



Before I say what we propose to do I may be allowed for one moment to touch upon something which we do not propose to do. There was a natural feeling—a generous feeling, I think—which must have suggested itself to many minds that at this moment of great financial prosperity in England there was a part of the British Empire that was suffering severe distress, and it must have occurred to many minds whether part of the superabundance of England might not go to alleviate the necessities of India. But although that may seem a natural idea to have entered into some minds, a little consideration will show that it is one which we could not wisely and properly carry into effect, and for the reasons very ably and clearly stated by my noble Friend the Secretary of State for India, in his recent speech at the Mansion House. If England were to come forward and make herself in any way responsible for a portion of the debt of India—though the effect would be to give momentary relief to India and enable her to obtain what she wants on a little better terms than she otherwise could—yet really and practically it would be prejudicial to her in the long run, because it would teach those who administer the finances of India to be less careful in their administration if they thought they had a great Power like England to fall back on, and were not obliged to make the Revenue of India go far enough to meet the charges upon it. In truth, the want of India is not money, but the means of obtaining for money the food her people need. Her credit is good, and we might, perhaps, even impair that credit if we should appear to think that it was necessary to supplement it by an Imperial guarantee. And, again, if anything were contemplated in the way of a direct gift from the Exchequer, the objections would again come in which were taken by my noble Friend the Marquess of Salisbury. Any money so given would have to be distributed according to the strict rules applicable to such cases, and could not be applied to the relief of that kind of necessity for which help is principally wanted. Therefore, we believe the true course which England should take in helping India is rather to have recourse to the free, unfettered, and willing contributions of the people of England than to any contributions from the Exchequer.

*The Chancellor of the Exchequer*

I return to the question, What are we to do with our surplus of £6,000,000? I think I hear the hon. Member for Pembroke-shire (Mr. Scourfield) challenge me by saying,—“You talk of a surplus, but you have no surplus; when a nation is in debt it cannot be fairly said to have a surplus; and as honest men the first thing we ought to do with a surplus of our Revenue is to apply it to the reduction of our Debt.” Well, there are two opinions on that subject—one is the extreme opinion of the hon. Member for Pembroke-shire; but there is another extreme opinion often held on the other side. There are many who say that there is no moral obligation upon us to pay off any of the capital of our Debt—that we have contracted to pay a certain charge for Annuities, and that so long as we continue to pay those Annuities we fulfil our contract; and they go on to say that there would be no advantage in buying Consols at 92 or 93, or whatever may be the price of the day, and that it would be far better and wiser that we should leave the money to “fructify in the pockets of the people.” Now it seems to Her Majesty’s Government that the truth lies between the two propositions. We entirely accept the view that we are under no moral obligation whatever to do more than pay the Annuities we have contracted to pay, and we admit that there are often circumstances which render it more desirable to apply a surplus in some other way than in redeeming those Annuities. But, at the same time, when you have the opportunity it does seem desirable that something should be done towards the reduction of the Debt. I will not enter into any argument at present—I have too much to say to waste the time of the Committee by going over grounds which are probably familiar to most of my hearers. I will only say that it is as inadequate a description of a reduction of debt to say that it is buying Consols at 92 or 93, as it would be an inadequate description of the reduction of a tax to say that it was merely reducing by a halfpenny or a penny the price of the article on which it fell. There is something in the moral effect of making provision in a time of prosperity for calls that may be made upon you in evil times—there is something more than mere reduction of Debt—something far beyond the mere investment of money

in the purchase of Consols to that extent. Let me just mention to the Committee that looking back to the year 1842—which we may consider as, in some sense, the starting point of our modern system of Finance—I find that in the course of the 32 years which have since elapsed we have made some progress towards the reduction of the Debt, and that we are proceeding to do, within the next 11 years, something really appreciable. The amount of Debt which has been reduced since 1842, on the balance—although we have had to borrow for the Crimean War, for the Irish famine, and for other purposes—the amount of Debt reduced within that period is £70,195,000; and there are now in operation Terminable Annuities which, without any addition to them, and simply keeping them up for the 11 years still to run, will effect a further reduction of about £50,000,000. So that by the year 1885, if nothing happens to cause further Debt to be incurred, and supposing we do nothing more in the way of reduction, we shall have reduced the Debt since 1842 by the respectable sum of £120,000,000.

We should think it, then, a right course, under any circumstances, having so large a surplus at our disposal, to apply some portion of it to the redemption of Debt. But, under the circumstances of the present year, that obligation which we should recognize under any circumstances becomes doubly imperative; because, as I have just mentioned, we are carrying into the Revenue of the year for the first time an item of between £400,000 and £500,000 of interest on Advances, which has hitherto been paid into the balances in the Exchequer; and I think the greatest precisian against the payment of Debt must see that nothing could be more appropriate than to apply money received in that way towards the extinction of Debt. Now, how is the Debt to be dealt with? The Committee are aware that there are two ways in which it may be dealt with—that there is the ordinary process which goes on in the application of chance surpluses through the Sinking Fund, and there is the system of creating Terminable Annuities. Both these modes have been in operation for a good many years. I will not trouble the Committee with figures; but I think the result is that the Debt has been a great many more times reduced through

the operation of Terminable Annuities than by any mere application of chance surpluses. We therefore think that although there may be some small disadvantage in the system of Terminable Annuities, yet it is a system that on the whole it is desirable to maintain. We propose, therefore, to create fresh additional Terminable Annuities to run out in the year 1885 with the £450,000 of interest on Advances which will be at our disposal. The Committee are aware that one of the difficulties of creating Terminable Annuities is this, that you may not get them taken on the market; and therefore the only way in which you can create them effectually is when you have at your disposal a fund which you can apply to taking them up. Such a fund exists in the balance of Post Office Savings-Banks money, which is in the Government's hands, and which may be as properly invested in Terminable Annuities as in any other kind of Government Securities. Now, I find there is a sum of £7,000,000, which may very well be spared for investment in this way; so that the amount which may come to us from the interest on Advances will be applied to the creation of fresh Terminable Annuities to extinguish £7,000,000 more of the Debt by the year 1885.

This item being set aside out of the account, we have now then to deal with the original surplus of £5,492,000 which will still be available, leaving a safe margin for the reduction of the burdens on the taxpayers. Well, Sir, what are the objects to which we are to apply this very handsome surplus? We have endeavoured to take these objects in the order we consider their importance demands; and the first of them to which we consider ourselves bound to give our attention is the question of Local Taxation. It will be anticipated, from the proceedings of the late House of Commons and from the antecedents of those who sit on these benches, that this would be a subject which would naturally engage our early attention. But it is not simply because we have taken an interest in it, or because we have taken a course which pledges us to give early attention to the subject, that we put it first in the list of objects of consideration. We put it first because it seems to us upon the whole the object of the highest national interest at the present time. It would be a most inadequate view to



say of those who urge upon us a reform of our system of Local Taxation, that they are actuated simply by a desire to get rid of certain burdens. We ought to consider the position which the question really occupies, not only in our financial, but in our whole social and political system. I said just now that we look back to the year 1842 as in a certain sense the commencement of a new financial epoch; and, no doubt, at that time a great revolution was effected in the financial system—and in a most important branch of it—by the reform of our system of indirect taxation effected by Sir Robert Peel and his Administration and carried on by the late Prime Minister. We are never tired of praising the great work which has been done in these 30 years. There has been a great remission of taxation—mountains of taxes, I may say, have been removed from the pressure put upon the consumers and also upon the trade and industry of the country:—we have done an amount of work of which any nation may be proud in the course of about one generation. But it now seems to us that there is another side to the question of Finance which stands as much in need of attention and reform as did the side of indirect taxation in the days of Sir Robert Peel and in the year 1842, and that is the great question of our direct, and especially of our direct local, taxation. We have done a great deal, as I have said before, to improve the condition of the people. But although we have cheapened articles of consumption—although we have improved the opportunities of employment for the people—and although we have done much to develop the commercial, the manufacturing, and the agricultural interests of the country, still there are points in which we must feel that the condition of our people is not such as we could wish to see it. We must feel that there is one standing blot. When you speak of all that has been done for the people and all the relief that has been given to them, it is melancholy to be obliged to look back upon the subject of the Poor Law, and to find that at the present time the amount expended per head of our whole population on poor relief is larger than it was before the year of Sir Robert Peel's great reforms. I have here a statement drawn up in periods of 10 years be-

ginning from the year 1834, the date of the passing of the new Poor Law. I find from it that for England and Wales in the first period of 10 years, extending from 1834 to 1843, the average amount per head of the whole population that was expended on poor relief was 6s. 1½d., and that the amount is now, or was in the last 10 years, from 1864 to 1873, 6s. 4½d. per head. Therefore, while there has been this great general improvement in the condition of this country, your poor-rates, or the number of persons who come for poor relief, have not diminished. Well, what is it that the people now mostly stand in need of? I venture to say that those who have paid most attention to the condition of the people will admit that there are few objects of greater importance to them than an improvement in their dwellings, an improvement in sanitary arrangements, an improvement in their education in the highest and best sense of the term, and an improvement in the encouragements we can offer them to the adoption of habits of temperance and providence. Now, it seems sanguine to say that those great objects can be attained by legislation; but undoubtedly by wise legislation they may be very considerably promoted. This is a truth of which we, at all events, feel strongly convinced, and which, I think, will not be slow to commend itself to the minds of others. And if we are ready to deal with questions of the character I have just indicated, we shall deal with them best, and we can only deal with them satisfactorily, through local agency. We shall do very little to improve the dwellings of the people without calling into play the assistance of local authorities; we shall do very little, or nothing, to improve sanitary arrangements without this. We shall do very little—and in fact we do very little—for education without largely invoking the aid of local administration. With regard to the encouragement of providence, I speak rather feelingly, because for the last three years I have been sitting with other Members of this House and with some of my friends on a Commission which has been inquiring into the important subjects of Friendly Societies and other Provident Associations in this country; and we have arrived unanimously at the clear and strong conviction that if anything can be done

thoroughly to develop those institutions and encourage among the people true and sound habits of providence, it can only be accomplished by a system of well-concerted local action. I am sorry to say, in passing, that our Report is not yet in the hands of Members. I have seen the proofs of the last sheets this very day, and I hope the Report will soon be placed on the Table. But the House may take my word that the main gist of our recommendations is the constitution of a system of local arrangements by which great facilities will be given, and great improvements will be made in those institutions. But if we are thus dependent for a very important portion of our social policy, and for the reforms and improvements which we hope still to effect in the condition of our people, upon local action and local authorities, we must take care that our local taxation, and the local expenditure for which it is raised, are put on a sound and proper footing. If that taxation is unfair, depend upon it you will meet with resistance in carrying any measure you wish to carry that may increase it. You have had experience enough of that already. I was struck not long ago, in reading the report which the Committee of the Central Chamber of Agriculture addressed to their constituents, with this fact—that they congratulated the Chamber that in the last Session not fewer than 19 Bills, which involved some addition to local expenditure, were either stopped or materially modified in their progress through Parliament. I have no doubt that that report was in a certain sense satisfactory to those to whom it was addressed; and, in the present condition of Local Taxation, no doubt that satisfaction was natural and perhaps justifiable. But at the same time it reads one a lesson as to what the inertia or the resistance may be of those who feel that the taxation they are called on to bear is not rightly or fairly administered, and also as to how many good measures—for, doubtless, some of these were good—may be stopped in their progress for want of a better adjustment of this matter. Therefore I say that in calling the attention of Parliament to this subject, and in putting Local Taxation in the forefront of the questions with which we have to deal in our first financial arrangements, we are not actuated by a desire to conciliate

any particular class or to favour any particular interests; but what we have honestly in view—rightly or wrongly, that is another matter—that what we propose to deal with is what we believe to be the most important question of the day. And the task to which we have set ourselves—although it is a difficult one, although it is one that we cannot accomplish at a blow, although it is one with which we can deal only in a very incomplete and imperfect manner at present—is still a task to which we are proud to devote ourselves, in which, with the blessing of Providence, we hope to succeed, and from which, as far as our energies and our abilities go, we shall not flinch.

Now, I ask for a moment what are the complaints we most commonly hear in regard to our system of Local Taxation? I think they may generally be divided into three. It is said, in the first place, that there are Imperial services which are charged exclusively or in undue proportion on local resources. It is said, in the second place, that the area of rating is not fair, and that many classes of property, including the very important class of personalty, are exempted from the burdens which are borne for the benefit of all kinds of property, the owners of personal property among the rest. And there is also a third complaint—coming, perhaps, from rather different quarters from those from which we hear most of these complaints made—namely, that our system of Local Taxation is bad and uneconomical, because we have a bad system of management, a bad system of administration, and an improper division of the country into local districts. I think there is truth in all these complaints. They may each and all of them be exaggerated; but there is, no doubt, much truth in every one of them. With respect to the question of charging on local funds Imperial services, it is undoubtedly the case that there are certain services of an Imperial character which can be best administered locally. I have adverted to some which are far more objects of Imperial than of merely local importance when I spoke of the condition of the dwellings of our working classes, sanitary arrangements, and other matters. These are matters of Imperial importance, but they can be best administered locally. But if they are administered locally, by whom is the expense to

be borne? The guardians of the central Treasury say, very naturally and very properly—"We cannot allow those who are administering these matters locally to put their hands without stint or limit into the central Treasury, to draw any funds they may please, and expend them at their own good will and pleasure." And there would, no doubt, be a serious danger in that, unless we can find a means of properly controlling the action of local authorities in those affairs. Now, we sometimes hear the argument used, that because the local authorities are the managers, therefore they are the persons who are benefited. It does not, however, necessarily follow that because they are the managers they, and the persons who pay, are the persons who are exclusively benefited by that which they are managing. But with regard to this question of control, remember that in many of these cases you have already established a system of Government control. It is more or less efficient; it may perhaps be made more efficient than it is; but in such cases as those in which you have Government Inspectors, you have a system of Government control which not only serves to a considerable extent to protect the central Treasury; but, on the other hand, also serves sometimes to lay a burden on the ratepayers. It is said it is an objectionable thing to place the power of expenditure in the hands of those who do not contribute to the funds, but this is an argument that cuts more ways than one. There is an impression prevalent among some of those who are most unwilling to admit the claims of the ratepayers that as long as local authorities have to deal with the matter, all local authorities are much the same thing, and may be regarded as substantially one body. They consequently see no inconvenience in laying upon a union, for instance, the charge of providing funds for the maintenance of its lunatics, and at the same time confiding the expenditure connected with the lunatics to a body over which the guardians have no control. The guardians of unions are in no way able to control the expenditure with regard to lunatics. That is put into the hands of visiting justices, with whom they have no connection, and who are in turn superintended, and I may say, to no small degree, stimulated by Inspectors appointed by the Government, for the purpose of seeing that

these unfortunate people are properly taken care of. Well, it is no answer to the ratepayers of a union who urge that it is very hard they should have to find funds for the maintenance of these lunatics in asylums to which we have obliged them to send them, to reply—"Oh, but they are administered by your local authorities, and therefore they are managed practically by yourselves." It shows as great a confusion of ideas as that which prevails among some ignorant people in this country that all foreigners are very much of the same nation. It reminds me of an old woman in Devonshire, who in answer to a friend of mine, said, referring to two persons, one a Canadian and the other a Swede, who had come down into the neighbourhood—"Well, they tell me they be both forreners, so I suppose they know each other." It is in the same way that local authorities are looked upon as if there were no difference between them by those who regard matters merely from a central Treasury point of view. Now, when it was urged—as was done in the late Parliament, by my hon. Friend the Member for South Devon (Sir Massey Lopes) and as was voted by a majority of, I believe, 100—that some contribution should be made from the Consolidated Fund towards the maintenance of lunatics, the cost of police, and other expenses, we were met by the objections to which I have referred, which were very natural, but which, as I think, were by no means conclusive. We were met by the objection to which I have referred, and also by the suggestion that there were other and better ways of providing for the help that might be given; and it has been suggested that this difficulty might be cut short, and that instead of merely contributing to local funds, we should hand over to the control of local bodies certain branches of Imperial revenue. Now we think there is a good deal to be said for that proposal, but it must be borne in mind that it is one of a complicated character, and would involve a very careful revision of our whole system of finance; and I am not ashamed to say, on behalf of the Government, that we have not been able, in the comparatively short time allowed us for the preparation of our plans, to go so thoroughly into the whole of our financial system as to be able to elaborate any plan of this sort. We do not

regard the scheme as one which ought not to be carefully considered. It will, on the contrary, be evident, as I proceed, that we contemplate a careful consideration of it with reference to our whole system of Finance, and we hope that in another year, if we should have the opportunity of submitting a Financial Statement to the House, we may be able to show that we have given a careful attention to the subject. In the meantime, however, what are we to do? Are we to let the whole matter stand over while we are considering the most excellent mode of proceeding, and, while so leaving it, to apply the whole of our available surplus to other objects?—or are we to ask the House to leave us in the possession this year of a very large proportion of the surplus unappropriated for the purpose of doing something which we have not decided upon next year? We have considered these alternatives, but we have considered them only to reject them. We do not think it would be at all fair, or that we should be treating the subject in the manner in which it ought to be treated, if we were simply to put the matter aside for a year and dispose of the present surplus in some other way; and as for retaining a very large proportion of the surplus untouched, we should not be able to carry out that policy. We intend, therefore, to make proposals with regard to the relief of Local Taxation in the present year. They must be regarded not as absolutely final, but as proposals which we think will meet the present emergency, and will to a great extent facilitate what we may have to do hereafter.

A suggestion was made by persons very well qualified to consider the subject that it would be advantageous to make lunatics a county instead of a union charge; but when we came to weigh the proposal, we found that in consequence of the boundaries of unions being in many cases not coterminous with the counties, and in consequence of the large number of Acts which give special powers to visiting justices, an attempt to bring about a change of that sort was by no means so simple as it might seem at first sight, and could not be undertaken. There would probably be found, if we went into the matter, difficulties in other directions. I will now, without going further into the general arguments for

the policy we are pursuing, mention what the proposals are which we intend to make. With regard to lunatics, we propose that there should be a contribution from the Consolidated Fund towards the charge of their maintenance. We do not propose that that contribution should bear a certain proportion to the amount that may be expended on lunatics, but that it should be a fixed charge of so much per head; so that the motives for economy which now prevail among those who administer the matter will still remain. We find that the average cost of lunatics per week in England is rather under 10*s.* per head. The expense of maintaining paupers in the union workhouses is somewhat over 5*s.*, and we think 4*s.* a-week will represent pretty fairly the difference between the cost of the pauper in the workhouse and in the asylum. We propose, accordingly, that a contribution of 4*s.* per head per week should be made to the unions in respect of every lunatic who may be in the asylum. The financial consequence of that would be that we should incur an expenditure for the year of £480,000. But the whole of that would not be paid within the present financial year. I believe the time at which the payment would be made would be after the annual Michaelmas audit, and therefore the first payment would be made in the course of the ensuing autumn; and, of course, only the charge of the half-year from Lady-day to Michaelmas would fall into the accounts of this year. Therefore, the charge on the Consolidated Fund for the present year would be only £240,000. I might justify this, if I thought it necessary, to add anything to the arguments I have already adduced for the selection of lunatics as one of the first objects of our attention, by the lesson and the example given to us by no less an authority than the right hon. Gentleman lately at the head of the Government in his mode of dealing with the Irish Church surplus. After strongly laying down the principle that it ought not to be given indiscriminately to the relief of the poor, he selected lunatics as the first object to which the fund should be devoted; so that I think we might claim his approbation of our course in selecting lunatics as the first object of relief. The second object to which we propose to contribute is the cost of the police. That charge has not been thrown upon



the counties with their consent. I remember that in my own county we declined to adopt the Act while it was optional. We did not introduce county police till the Act compelled us to do so, against the wishes of the county magistrates, and I believe of the ratepayers. The same thing happened in other counties. In this case we introduce no new principle. A contribution has hitherto been made by the Government of one-fourth of their cost of pay and clothing. We propose to increase it to one-half, which will add about £600,000 a-year to our expenditure on this head. It is the intention of my right hon. Friend the Home Secretary to bring forward a measure with reference to the Police, and we shall insert in it a clause which will enable this alteration to be made. That will be the second head upon which we shall offer relief to local taxation. With regard to a third head mentioned in the Resolution adopted by the late House of Commons—namely, the cost of Justice—we find that it is a subject undergoing inquiry at the present moment, and we do not think that it would be right to make any proposal respecting it. There is one other contribution we shall have to make not to general, but to special Local Taxation. I allude to contributions which should be made in relief of local rates in respect of Government property. That is a matter which has been frequently before the House and has been dealt with in different ways. Before the year 1860 there were some descriptions of Government property which had always paid rates and which continued to do so. They were paid generally under the head of "Public Works." In that year, 1860, a system was introduced under which a Vote of £35,000 a-year was applied, under certain regulations, towards the local rates in places where the Government had a considerable amount of property. The amount, however, at which the Government fixed those contributions, or rather the point at which they considered themselves liable to contribute, was taken rather inconveniently. It was, I believe, only where the Government possessed property to the extent of one-sixth of the whole parish, and then only to the poor rate. In the year 1863 a new system was adopted with respect to certain property purchased by the Government—such, for

instance, as the site for the Courts of Justice—in which cases the old rateable value was taken, and the rates were paid by the Government according to the rateable value. Well, last year the late Government introduced a Bill on this subject, in which they proposed to do away with various exemptions, and amongst others the exemption of Government property. I may say that it is the intention of my right hon. Friend the President of the Local Government Board to introduce a Rating Bill this year, similar in many respects to that of last year, but confined to the cases of woods, mines, and game. We do not intend to include in the Bill the case of Government property, because we find that there would be so much difficulty in working the system which was proposed in the Bill of last year, that it would lead to unsatisfactory results in all directions. We therefore propose, in lieu of that, to continue on an amended footing the system of contributions, by Votes submitted to Parliament—such contributions to extend to parishes which contain any Government property and not merely to those parishes in which the Government possesses 1-6th of the property. We see no reason why, if the Government has 1-7th, or 1-10th, or 1-20th of the property of a parish, it should not contribute to the extent of 1-7th, or 1-10th, or 1-20th just as it now does to the extent of 1-6th. There are one or two minor Amendments with which I need not now trouble the Committee; but I may say that we have a calculation which was prepared last year by a gentleman in the Treasury very conversant with the subject, as to the amount which—contributing the entire amount contemplated in last year's Bill—would become chargeable. It has been revised with great care and minuteness and its accuracy ascertained, and the result is that if the provisions of the Bill of last year were acted upon, the total amount which would be contributed on the part of the Government would be £170,000 in addition to £63,000 which is the amount at present contributed. We therefore propose to take a Vote for those sums with respect to rates on Government property. That, therefore, will make the contributions to Local Taxation £1,250,000, but of that sum only £1,010,000 will form a charge upon the present year.

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Now, Sir, having dwelt—I am afraid at too great length—upon the question of Local Taxation, I have only to say that it is a matter which will continue to engage our attention with reference, not only to the question of burdens, but to the further very important question as to the improvement of administration, and the possible necessity of altering the present system, and of devoting some branch of general Revenue for local purposes.

I now, Sir, pass on to the next head I have to consider—the head of Revenue which is very closely connected with the question of which we have been speaking. I refer, of course, to the Income Tax. Now one of the remarks which are made by complainants on the subject of Local Taxation is as to the large quantity of personal property which does not bear its due share of public burdens, which should be borne by all alike. Undoubtedly, that is a complaint which in the present position of Local Taxation is justly made. But the question how you are to remedy the evil is one of very great difficulty and delicacy. I believe that almost all who have considered the subject admit that it would be impossible to rate stock-in-trade, or other personal property, or to attempt to bring the owner of personalty of the kind referred to within the jurisdiction of the tax gatherer. Then the question is whether there is any other way in which the owner of personal property, who is not a ratepayer or is only a small ratepayer, can be made to bear his fair share of the public burdens. Well, that is a question so difficult and complicated that we cannot undertake on the spur of the moment to attempt to give it a full or satisfactory answer. It may be taken for granted that if you do away with the Income Tax some means must be found of making the owner of personal property contribute towards the burdens of the country. Possibly, if you retain the Income Tax, it will be found that his contributions to that tax supply the deficiency; but that is a point which requires careful consideration, and the whole position of the Income Tax is one of such great magnitude not only financially, but as I may even say politically, that it would be wrong and culpable in us if on so short a notice we were to come forward with a definite or decided proposition with respect either to

the absolute remission or the absolute perpetuation of that tax. We desire, therefore, that it may be understood that in treating of that question we reserve our judgment until we have had full time to consider it in all its bearings and in all its relations to the other branches of the financial system, and until we are able to make a proposal that will, as it is said, hold water in all its parts. We must admit that this mighty structure of the Income Tax, which has now been in existence for by far the larger part of the present century, which has been in continuous existence for a generation, and has placed at the disposal of the country no less than £250,000,000, and which has been made available as an instrument for effecting very great reforms of taxation at one time, and for relieving us of very great burdens at other times—we must admit that such a mighty structure as that is not to be lightly thrown down at six weeks' notice; and, therefore, although we certainly do not profess any enthusiastic admiration for the faults of the Income Tax—although we are ready to admit, in the language of one of Shakespeare's clowns, when speaking of his mistress, "She hath more faults than hairs"—yet, bearing in mind that it has "more wealth than faults," we still think it ought to have a little further trial before we decide what is to be done with it. We therefore set that question aside, and whatever we do in the present year, we have determined not in any way to tamper with the structure of the Income Tax. We do not say that it might not be possible to find improvements—if it should be decided to maintain it—in its mode of assessment, in its incidence, and in some other matters connected with it; and these are questions on which we reserve entire liberty of judgment. All for the present we intend to do—and we think it is an amount of relief to which the taxpayers are, under the circumstances, justly entitled—is simply to remove 1*d*. of the tax. That would amount to £1,840,000 for the whole year; but of that £1,540,000 only will be lost to the account of the present year.

We have, therefore, now disposed of £2,550,000 out of surplus, and that amount—exclusive, of course, of what we apply to the reduction of the Debt—has been applied to the reduction of direct taxation. Well, it will naturally



be expected that at the same time we should propose some remission of indirect taxation. I do not think we ought to admit as a canon of finance that direct and indirect taxation should always, or as a general rule, be reduced *pari passu*. I do not think it is at all necessary that because we reduce direct taxation by £1,000,000, we should take a like sum from indirect taxation. I can see no principle in such a maxim as that. It may be a convenient one under certain circumstances; but it implies, in the first place, that you have got a system of taxation which is so fairly balanced that you destroy the equilibrium if you deal with the one side without dealing equally with the other also. For my own part, I very much doubt whether our financial system is in that happy condition. But without entering into that question, I think what ought to be regarded as the leading principle in considering in what direction taxation should be reduced is this—how can most good be effected by the remission to be proposed? The leading principle in selecting remissions of taxation is to consider in what direction you can do most good, without nicely regarding whether it affects direct or indirect taxation. You ought to ask who it is upon whom these taxes fall? It is not the consumer or the producer, or this interest or that—really and truly the whole burden falls on the whole community, and you should endeavour to make such selections as will, upon the whole, be most to the benefit of the public at large. In selecting the subject for the remission of indirect taxation, Her Majesty's Government have given consideration to all the great articles of our consumption upon which duties are collected producing large amounts of Revenue; and, after having very fully considered the question, they have arrived at a conclusion which I think the Committee, in common with the public, will not be slow in anticipating—that of abolishing the Sugar Duties. It is almost unnecessary to go into any lengthened argument upon the subject—the history of the last few years will have prepared everyone for this step. I think it was four years ago—but I am not quite sure of the date—that the great article of sugar, which had been the heroine of so many important Budgets, and which had upset certainly one Ministry—and I am not sure that it had

not something to do with upsetting another—made what was supposed to be positively her last appearance as *prima donna*, when the right hon. Gentleman opposite (Mr. Lowe) diminished the duty upon it by one-half—announcing that he was proposing a reduction which he conceived and hoped would be a final remission. But before three years had elapsed the right hon. Gentleman found it necessary to repeat the operation, and last year the duty on sugar was again reduced by one-half, whereby a revenue derived from this source was raised which was comparatively small in proportion to the cost of its collection, and, what is of more importance, bore a still smaller proportion to the annoyance and, I believe, the injury done to trade by the restrictions it imposed upon it. Therefore, it is not upon the principle of reducing an indirect duty or a duty upon consumption to balance a particular reduction made in direct taxation, but upon the principle that we find in the Sugar Duties, as they at present stand, a source of Revenue which does more harm than it produces good upon the whole, that we have selected Sugar as the article upon which to propose a remission of taxation. It is an article of the very first magnitude in the consumption of the country. I believe that next to corn it is the article of which the largest quantity is consumed in this country—next to corn it is the article of which the largest quantity is introduced into this country; it supplies our shipping with the largest amount of freight; and it enters more largely into the general processes of manufacture and consumption than any other article now subject to duty. Besides that, it is held out to us that if we abolish the Sugar Duty there is a reasonable prospect that England may become the great entrepôt of the sugar trade; and I think that is a consideration which all who are interested in the commercial prosperity of the country must regard as being one of first-rate magnitude. I must say that, speaking as one who is responsible for the finances of the country, I consider that at any time—more especially at the present moment, when we have some little uneasiness as to the commercial forecast of the year—it is of the greatest importance that we should select for remission some article which will have the effect of stimulating and

supporting the commercial interests of the country. And I may fairly say this, that if it had not been that I had contemplated the remission of this duty, and the consequent support that would be given by our measures to the industry and commerce of the country, I should have accepted with much more hesitation than I did the estimates of the heads of the Inland Revenue and Customs Departments. But I felt that, as in former times great remissions of taxation have stimulated industry and commerce, so we may hope it will be again; and I thought that, reading backwards the lesson which was read some 35 years ago by a Chancellor of the Exchequer (Sir Francis Baring) who, in a time of commercial anxiety and depression, sought to remedy the deficiencies in the Revenue by increasing the duties of the Customs and Excise, and failed in the attempt, we might rather hope, by relieving the duties on Customs or Excise, that we should be facilitating, encouraging, and stimulating commerce, and so be supporting and strengthening our Revenue. There is, I believe, no argument which can well be adduced against the remission of the duty upon sugar except one, which is certainly of some weight, and which, at all events, is a plausible one. It is that in abolishing this duty we are cutting off permanently a source of Revenue which we may some day or another regret. I cannot deny that it is a different thing, now that our duties fall upon comparatively so few articles, to cut away one of those sources of Revenue, from what it was when they fell upon so much larger a number, because, fully believing as I do that the abolition of one duty does produce increased consumption in other directions, and thus in some way or other produces an increased flow of wealth into the Exchequer, I admit, of course, that you may carry that process too far, and leave yourselves with so few channels through which the wealth of the country can find its way that the Exchequer may permanently suffer a loss. At the same time, considering what the progress of the different branches of the Revenue is, and that it appears likely to continue, I cannot believe that we are left without plenty of channels through which the Exchequer will replenish itself. I refer, as one main source of possible addition to the Revenue, to the vast

increase in the consumption of spirits. You may say that that is a very dangerous thing to rely upon. It is dangerous and not very pleasant, I admit, to rely upon the increase in the consumption of spirits as a source of future Revenue. It may also be said that the time may come when a check will come, and that source of Revenue may fail you. I have asked myself how is it that you expect this source of Revenue will fail; what will be the cause of its falling off; and why should not spirits be able to bear—and it is quite possible they might be able to bear—an increased amount of taxation without diminishing the consumption? That is one source of Revenue which is still open to us upon an emergency, for I verily believe it would be possible to increase the duty without diminishing the consumption, and without raising the danger of illicit distillation. But that resource we keep as a reserve for the future. I ask again, under what circumstances would it be expected that the consumption of spirits in this country would fall off to such an extent as seriously to injure the Revenue? It must be from one of two causes—either from some general failure of the consuming power of the people—from some failure in their ability to purchase spirits, the will remaining as it was—or from some great change in the habits of the people inducing them to abandon the use of such enormous quantities of ardent spirits. If it were the former it would tell upon all the sources of Revenue just as well as upon that derived from spirits; and if it were merely a question of inability, I think you would stave off that inability and reduce the probability of its occurring to a minimum by taking off a duty like this upon sugar, and so increasing *pro tanto* the consuming power of the people. But if the reduction of the Revenue derived from spirits be due to the other cause—if it should be due to a material and considerable change in the habits of the people and to increasing habits of temperance and abstinence from the use of ardent spirits—I venture to say that the amount of wealth such a change would bring to the nation would utterly throw into the shade the amount of Revenue that is now derived from the spirit duty, and we should not only see with satisfaction a diminution of the Revenue from such a cause, but we

should find in various ways that the Exchequer would not suffer from the losses which it might sustain in that direction. Therefore it is with perfect confidence and without misgiving that the Government proposes that the remission they have given on some principal article of consumption should be in the form of the abolition of the Sugar Duties. There is one point in connection with this subject to which perhaps I ought to advert. The right hon. Gentleman opposite, when last year proposing to reduce this duty, alluded to the complication of the scales and the difficulties which have arisen in our negotiations with France and other foreign countries; and it has been suggested by some that possibly by remitting this duty altogether, and putting weapons as it were out of our hands, we shall leave ourselves entirely at the mercy of France or other foreign Powers to lay their duties upon sugar in such a form as may be injurious to our refiners. In reply to that suggestion I may say that I am afraid that, even under the Treaty which has existed since 1864, our refiners have been exposed to what we may deem unfair disadvantages in competing with the French refiners, and I am afraid that work that Treaty how you will, word it how you may, remonstrate about it how you will, it will always be in the power of France or any other foreign Government, should they choose to do so, to give to their refiners an advantage over ours. Therefore, I do not rely upon the words and stipulations of treaties, but upon that sense of what is for her own interest to which France is, I believe, awakening, if we may judge from the debates in her National Assembly and from the Bills which have been recently passed relative to refining in bond. It is upon that that I rely for obtaining fair play for the British refiner in comparison with his foreign rivals. I believe you cannot rely upon treaties; but you may rely upon the sense which a foreign nation has of its own interest in not wasting its money upon subsidies to its refiners. I believe, in any case, by far the best, the true and the only policy we can adopt for the advantage of our own sugar trade and of its branches is by setting it entirely free. I believe, if we may judge by the paralysis which has fallen upon the sugar trade since the announcement made by the right hon.

Gentleman (Mr. Gladstone) in January that there was a probability of the duty being repealed, and if we refer to the enormous efforts that are made upon the part of some classes of those who supply us with sugar to bring in their sugar with the appearance of a fictitious quality and to make it appear worse than it is in order to get it in at a lower rate of duty, and when you see the discouragements we apply to various modes of improving production, I think we may anticipate for the sugar trade a very great future if we set it free from these trammels. The amount at which sugar was taken in the Customs estimate this year was £2,000,000, and I take the reduction at that amount. There will be a difference in the dates at which the duties will expire, and the date I propose for raw sugar is the 1st of May, and that for refined sugar the 21st. So far as sweets are concerned, the reduction will, of course, affect only such as are taxed in respect of the amount of sugar contained in their manufacture. Upon one article, however, it will be necessary for me to reimpose a small duty, in consequence of taking it off sugar. There is at present a duty upon plums and other fruit, but plums prepared with sugar are taxed somewhat higher than other fruit. It will be necessary for me to place them on the same footing with other fruits. I should mention also that the Excise duty upon sugar—that is, upon sugar used in breweries—will have to be raised, so as to place it on an equality with malt. This will have to be done so as not to give sugar the advantage over malt.

I am still in possession of a reasonable amount of disposable surplus—there still remains in hand £942,000. As I have mentioned the subject of the Malt Duty, I may as well inform the Committee that the amount of that duty is too large for me to think of employing any portion of that sum in its reduction. I regret that this is the case, because I am by no means insensible to the interest which is taken in this question, nor to the arguments adduced against the duty. But the question of abolishing it, or of reducing it with a view to future abolition, is one far too large to be entertained at the present moment. The question of changing the incidence from the half manufactured article of malt to the finished article of beer, is one which

deserves consideration. It is full of difficulty—I do not see how it is to be done; but I do not say it is impossible. Information has lately been obtained from foreign countries, at the instance of the right hon. Member for Chester (Mr. Dodson), showing the methods there employed for taxing beer, and the information so obtained, which is very valuable, will be carefully studied.

Now, Sir, I have to consider what other claims there may be to relief out of the surplus that still remains. As I reminded the Committee at the beginning, a great number of claimants have been before me, and although some of their claims were in no way unreasonable, I must ask that they may be allowed to stand over till they can be taken in connection with other measures with which we may have to deal. One of these on which I received a deputation—the Inhabited House Duty—I would especially refer to. The principal speaker in that deputation was anxious that I should propose to take off the tax altogether; but the other members had different suggestions to make for dealing with portions of the question. I am free to admit that there are some circumstances connected with the assessment of the Inhabited House Duty which require careful consideration. This is, however, just one of those taxes which, in the present state of affairs, it would be unadvisable to meddle with. It will be within the recollection of the Committee that a year or two ago the right hon. Gentleman the Member for the City of London (Mr. Goschen), in introducing his scheme of Local Taxation, proposed to assign the house tax to local bodies for local purposes. I do not say that we are considering any plan of that kind—in fact, we can hardly be said to have any definite plan under our consideration. We are rather reviewing all sorts of proposals; but this tax is just one of those with respect to which it is desirable we should keep our hands free. With regard to Excise Licences, and other matters of that kind, it is as well we should keep them undisturbed, because we may find them of use when we come to grapple with the questions of Local Taxation and Expenditure. There is another tax with respect to which, though I have received no deputation, I have had a great number of applications and private representations. It has

given me a good deal of trouble, and it must also stand over till the re-arrangement of our system of Local Taxation, when we may possibly be able to find a solution of the difficulty. I refer to the tax upon dogs, and especially to the tax upon sheep dogs. The difficulty lies in this. I have received various representations from the one side, urging me to relieve sheep dogs from this tax, which is a serious inconvenience to those who use them; and on the other hand, I have received equally urgent representations from other persons, asking me to enforce the law more strictly, and even to increase the tax upon dogs, because of the great mischief they do, especially in the way of worrying sheep. As it appears by no means easy to distinguish between dogs that guard sheep, and those that worry sheep, I am obliged to take further time to consider what should be done. One suggestion that was made to me was that all dogs, except a limited number for keeping sheep, should be taxed at a higher rate, and in order to prevent evasion, should be marked by having to wear a collar with some kind of stamp upon it. That was an ingenious suggestion no doubt; but when it was made to me, I could not help remembering that a sportsman, an American friend of mine, had told me he thought of bringing his hounds over here to compare them with those in this country, and I thought I should scarcely like to introduce my friend to a pack of foxhounds running in stamped collars. It will be better to let the question stand over to next year, when we may possibly find that there are means by which we can hand over the tax to the local authorities, and thereby obtain a better enforcement of the law.

I now have to refer to another and a rather more difficult subject. It is a question upon which there has been a good deal said and a good deal written in the Press, and upon which I have received more than one large deputation—I refer to the subject of Brewers' Licences. The case of the brewers would seem to have something in it in two respects. They say that this licence duty was imposed upon them in 1862, when the then Chancellor of the Exchequer proposed to take off the hop duty; but, not being able to spare the necessary amount of Revenue, he proposed to commute it into an addition to



the licence duty paid by the brewers. They had before that paid duty; but at that time it was considerably augmented, with a view to recoup the Exchequer for the loss arising from the repeal of the hop duty; and they say that, inasmuch as they have no doubt that if the hop duty had continued till now the Chancellor of the Exchequer would have swept it off without charging anything upon the brewers, it is but reasonable that the equivalent burden should be removed. Another argument they use is that they are subjected to unfair competition on the part of the private brewer who does not pay the duty. They remind me that when the tax was originally imposed it was intended to tax private brewers as well, and that, as that proposal fell through, they are exposed to unfair competition. A third reason they urge is that the tax is a vexatious one by reason of the way in which it is enforced—because they are exposed to very heavy penalties, many of which may be incurred through the carelessness or inadvertence of their servants. I admit there is something in all these objections, but I cannot say that I think the arguments of the brewers conclusive. In the first place, the Chancellor of the Exchequer of the day never held out the idea or gave any colour to the belief that the arrangement made was intended as a temporary arrangement. What occurred was this. He mentioned the hop duty as one that he desired to take off, but said he could not do it without finding a substitute, and he then passed to the subject of the Brewers' Licences. He pointed out that the Brewers' Licences as then arranged were not fair or satisfactory, and that they fell unevenly upon the smaller brewers. He proposed, therefore, to rearrange them and in the rearrangement to increase them, in order to recoup himself for the loss of the hop duty. But he gave the brewers a drawback on the hops they used, which they had not had before; and he also gave them the right to use certain substances as a substitute for hops which had previously been prohibited. Therefore the brewers did not receive this burden without some compensation; but the Chancellor of the Exchequer of that day no doubt expected that they would derive very great benefit from the abolition of the hop duty. They say they

have not done so; and that whereas the hop duty was taken off when it was producing a comparatively small sum, the licence tax now levied on their production is a much larger sum. That must be because they are brewing a larger quantity than formerly, and, therefore, it is clear that if the hop duty had remained, the brewers would now be paying a larger amount than at the time when the tax was taken off. Then there is this difficulty. They say they cannot put this tax off themselves and upon the public. I do not know how that may be. [Mr. BASS: Hear, hear!] Did they or did they not recover what they paid in hop duty? [Mr. BASS: No.] They did not. Then how are they worse off than they were?

MR. BASS: I did not understand the question. I thought the right hon. Gentleman asked me whether we got any compensation for the licences in the abolition of the Hop Duty. I reply—Not one penny.

THE CHANCELLOR OF THE EXCHEQUER: I beg the hon. Member's pardon. The question I wished to put was this,—When hops were subject to duty and when the brewers had to use hops only, were the brewers able in the price they charged to make their customers pay the duty which they paid upon hops? I will not press the hon. Member for an answer. [Mr. BASS: No doubt we did.] Well, if they did, I cannot for the life of me understand why they cannot make their customers pay for the Brewers' Licences. I could have understood the case if it had been the other way. They might have got from their customers the amount they paid for licence duty and yet have had a difficulty in getting what they paid for hops; because there was much fluctuation in the price of hops, and there would have been a difficulty in putting the price of beer up and down. But the amount of the Licence Duty is a matter which they can ascertain for themselves with tolerable certainty, and therefore they can arrange to put it upon their customers, and can recover this duty as they recovered that. With regard to the argument about the private brewers, there would be a good deal of force in it, if we found that private brewing had increased since the change was made; but I do not find that this is the case. With regard to the penal-

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ties there is something to be said. They are no doubt very heavy, and some of them are incurred through mere inadvertence. What we propose is to divide the penalties into two classes. As to penalties for offences which are not accidental—such as not taking out a licence or using improper substances—we propose to keep the full penalties. But with regard to penalties for inadvertence—such as not making an entry at the right time—we propose to modify them very materially. That then is the case as regards Brewers' Licences, and I think there is no imperative demand of justice which compels us to take the matter into consideration. I admit that what is asked for might be a very fair boon to give if we had no other way of disposing of our surplus. I am far from saying that the brewers have no right to ask for this; and I do not say that if we had a greater abundance at our disposal, and had not stronger competitors for it, they might not have a good claim.

But there is another duty upon which a great deal has been said, and which produces about the same amount of Revenue as the Brewers' Licences. I mean the tax on Railway Passengers. With regard to that tax, I have heard it called a tax upon locomotion; and I must frankly own that when I hear people talk of taxes upon abstractions I am instinctively disposed to button up my financial pocket—because I think there is a great fallacy involved in what is said about certain taxes being taxes on locomotion, on prudence, or on knowledge. In such cases we ought to see upon whom the tax really falls, and who would be benefited by its removal. If there is a tax on locomotion, the persons most injuriously affected must be railway passengers, and it might be expected that considerable complaint would come from them. I am not, however, aware that representations against this tax have proceeded from railway passengers. On the contrary, I was very much struck, when I came into my present office, by the number of letters I received from persons of all classes suggesting as a mode of raising Revenue a tax upon railway tickets. The claim for the remission of this tax really comes, not from railway passengers, but from railway shareholders, who are a very different body. No doubt the tax is one on locomotion in the sense of diminishing their profits;

but I cannot help seeing that railways are practically a monopoly. It is very possible that the benefit might come into the pocket of the shareholders, and might not find its way into the pocket of the locomotive public. Considering that this tax has been in existence almost as long as the earliest railways themselves—that most railways have been constructed with a perfect knowledge of this tax, and that the shareholders would alone derive immediate benefit from its remission—I am bound to ask whether we could obtain any security that railway passengers would obtain any advantage from its remission? That is a question of very great difficulty. There is one point to which I would draw the attention of the Committee, and that is not so much as to the tax itself as the exemptions from it. Those exemptions are anomalies; they are the cause of much uncertainty, and produce ill-feeling and litigation. I will explain how that matter stands. Originally, there was a tax on all railway passengers. In 1844, a proposal was made, and an Act was passed, to compel Railway Companies to carry third-class passengers at low rates and by trains of a certain convenience. In order to induce them to do this, and to sweeten the Act, it was provided that the duty on third-class passengers so carried should be remitted. Many changes have occurred since then, and now Railway Companies, instead of being obliged by law, find it to their own interest to carry third-class passengers, and upon terms much more favourable than in 1844. They therefore say, with a good deal of plausibility, that it is very hard that they should offer increased facilities, and not get the remission contemplated by the Act, because they may not comply exactly with all its requirements. A difference of opinion has arisen between the Board of Inland Revenue and the Board of Trade as to what trains are and what trains are not exempted from duty. That is not only inconvenient, but to a certain extent a scandal, and I promised to turn my attention to the subject with the view of obtaining a settlement of the dispute. I have pressed the matter on the Board of Inland Revenue, and I find that there have not been any *lâches* on their part causing the question to remain unsettled, and that they have tendered a special case for the acceptance of two or three



Railway Companies. The matter is now in course of being settled in the Courts, and I learn from the Attorney General that it is likely to come before the Courts next Term, when some decision will be arrived at which will put an end to an inconvenience which is not very creditable. With regard to the remission of the tax, I cannot help thinking that it would be culpable on our part to propose to take it off without endeavouring to obtain any corresponding advantages for the public either in the way of greater facilities for travelling or—what is still more important at this moment—obtaining greater security against accident. I feel that it would be very wrong on the part of the Government to take off the tax without some security of this kind; while we have, as yet, found great difficulty in arriving at any measure for promoting this object. We are, therefore, obliged to let this matter stand over; but we will give our best consideration to any measure recommended by the Railway Commissioners or the Board of Trade. And we shall be very glad if it is possible for us at some future time, and in connection with measures for improving the safeguards for railway travelling, to relieve the Railway Companies from this tax.

I have said that I have still a remission to propose. I have gone over the various remissions which I am not going to propose, and therefore by a process of exhaustion I have come to the only one which I do intend to propose. I think it will be found, by an inspection of agricultural statistics for the last year, that there are in this country somewhat more than 2,000,000 horses, of which 864,000 are taxed, while 1,275,000 are untaxed. Of the 864,000 which are taxed, half, I believe, are probably employed in trade, and I have received a great number of representations—though never a deputation—on the subject from persons who have informed me that the tax which they have to pay for horses is a very serious inconvenience to them in carrying on their business. The great interest to which I have just been referring are great users of horses, and so also are the brewers. There are, therefore, two classes at least that may take some comfort from what I am about to say. There are, besides, a number of retail tradesmen—such as butchers, bakers, fishmongers, and poulterers—in

fact, every man who carries on a trade—who uses one or more horses. It will be observed that there are continually arising questions of a very awkward kind as to what horses are and what are not liable to the tax. There is this further consideration, to which our attention has been directed by the Committee of the House of Lords which sat last year on the subject of the diminution of the stock of horses in this country, and of the importance, in a national point of view, of ascertaining the best mode of removing the obstructions which lie in the way of horse breeding. It is, under those circumstances, our intention, without entering further into the matter—though I might give other reasons—to propose, as the last of the remissions for the year, the abolition of the Horse Duties. The amount of the duty on horses is, I think, £410,000; but, of course, with the Horse Duty would go the Horse-dealer's Licence Duty and the supplementary tax, which it would not be worth while to keep up, on race-horses—making a total of £480,000.

I have now gone through the whole of the proposals which we have to make; but I may sum them up in a somewhat different form from that in which I have presented them to the Committee, and one which they may find more acceptable. The Income for the year is taken at £77,995,000; the Expenditure at £72,503,000; which gives a surplus of £5,492,000. I am leaving out of account matters connected with the Terminable Annuities and Miscellaneous Revenue. It is proposed, in addition to the Expenditure of £72,503,000, to take Votes in aid of Local Taxation—£600,000 for police; for lunatic asylums (half this year), £240,000; and in the shape of contributions from Government property, £170,000:—making a total of £1,010,000. This will increase the Expenditure to £73,513,000. On the other hand, we propose to take off the Sugar Duties, £2,000,000; to take 1*d.* off the Income Tax, £1,840,000; and to remit the Horse Duty, Horse-dealer's Licence, and Race-horse Duty—£480,000; total, £4,320,000. There will be £300,000, however, of the Income Tax remission to come out of next year's receipts, and that will make the total amount of our remissions £4,020,000 for the present year. If you add that sum to the additional Expenditure of £1,010,000 you

will have £5,030,000, which will leave a surplus of £462,000.

Sir, I will now leave these proposals in the hands of the Committee. I thank them very much for the kind indulgence with which they have listened to my Statement, which, at least in some parts, must have been wearisome and tedious. I hope they will accord to the proposals of the Government the same kind attention, and the same candid consideration, which they have been so good as to extend to myself. I can assure the Committee that we have approached our task in no spirit of over-confidence, in no spirit of depreciation of the great difficulties with which it is attended, and in no spirit of party interest—or, indeed, with any other desire than to do our best with the view of promoting the national welfare. Our task has, from various circumstances, been a peculiarly difficult one. While on the one hand we have had to deal with one of the greatest opportunities which have ever probably presented themselves to a Ministry in any one financial year, we have, at the same time, been precluded by circumstances to which I have already alluded from taking the advantage of that opportunity which we could have wished. We felt that the question to be solved was not what could be done, but what it was possible to do within the time at our disposal; and we trust the Committee will give our proposals their kind attention, and will receive them in the spirit in which they are tendered for their acceptance. The right hon. Gentleman concluded by moving the following Resolutions:—

1. That the Duties of Customs now chargeable on the under-mentioned goods upon their importation into Great Britain or Ireland shall cease and determine on and after the respective dates hereinafter mentioned (that is to say):

On Sugar, viz.

Candy, Brown or White;

Refined Sugar, or Sugar rendered by any process equal in quality thereto;

Manufactures of Refined Sugar;

on and after the twenty-first day of May, one thousand eight hundred and seventy-four:

And on Sugar, viz.

Not equal to Refined—

First Class;

Second Class;

Third Class;

Fourth Class (including Cane Juice);

Molasses;

Almonds, Paste of;

Cherries, Dried;

Comfits, Dry;

Confectionery, not otherwise enumerated;

Ginger, Preserved;

Marmalade;

Succadoes, including all Fruits and Vegetables preserved in Sugar, not otherwise enumerated;

on and after the first day of May, one thousand eight hundred and seventy-four.

2. That, in lieu of the Duties of Customs now chargeable on the under-mentioned articles, the following Duties of Customs shall be charged on and after the first day of May, one thousand eight hundred and seventy-four, on the importation thereof into Great Britain or Ireland: (that is to say,) on

£ s. d.

Plums preserved in Sugar. the cwt. 0 7 0

3. That on and after the first day of May, one thousand eight hundred and seventy-four, the following Drawbacks now paid and allowed shall cease to be paid and allowed on the under-mentioned descriptions of Sugar refined in Great Britain or Ireland on the Exportation thereof to Foreign parts, or on removal to the Isle of Man for consumption there, or on deposit in any approved warehouse, upon such terms and subject to such regulations as the Commissioners of Customs may direct for delivery from such warehouse as ships' stores only, or for the purpose of sweetening British Spirits in Bond (that is to say):

Upon Refined Sugar in Loaf complete and whole or Lumps duly Refined, having been perfectly clarified and thoroughly dried in the stove, and being of an uniform whiteness throughout; and upon such Sugar pounded, crushed, or broken in a warehouse approved by the Commissioners of Customs, such Sugar having been there first inspected by the Officers of Customs in Lumps or Loaves, as if for immediate shipment, and then packed for exportation in the presence of such Officers, and at the expense of the Exporter; and upon Candy;

Upon Refined Sugar unstoved, pounded, crushed, or broken, and not in any way inferior to the Export Standard Sample No. 2, approved by the Lords of the Treasury, and which shall not contain more than five per centum of moisture over and above what the same would contain if thoroughly dried in the stove;

Upon Sugar refined by the centrifugal or by any other process, and not in any way inferior to the Export Standard Sample No. 1, approved by the Lords of the Treasury;

Upon other Refined Sugar unstoved, being bastards or pieces ground, powdered, or crushed:—

———— Not in any way inferior to the Export Standard Sample No. 3, approved by the Lords of the Treasury;

———— Not in any way inferior to the Export Standard Sample No. 4, approved by the Lords of the Treasury;

———— Not in any way inferior to the Export Standard Sample No. 5, approved by the Lords of the Treasury;

—Inferior to the above last-mentioned Standard Sample.

4. That, on and after the first day of May, one thousand eight hundred and seventy-four, the Duties of Excise now payable upon or in respect of Sugars made in the United Kingdom shall cease, and shall no longer be charged or levied.

5. That, on and after the first day of May, one thousand eight hundred and seventy-four, in lieu of the Duties of Excise now chargeable upon Sugar used in Brewing, there shall be charged and paid upon every hundredweight, and in proportion for any fractional part of a hundredweight, of all Sugars which shall be used by any Brewer of Beer for Sale in the brewing or making of Beer, the Excise Duty of Eleven Shillings and Six Pence.

MR. LOWE: After the very important and admirable statement of the right hon. Gentleman, I should hardly be treating him with proper respect if I presumed to offer any observations on his proposals at the present moment. There are many things in his speech which we on this side of the House have heard with great satisfaction, and I would now simply ask him when he proposes to proceed with his financial scheme?

THE CHANCELLOR OF THE EXCHEQUER: On Thursday next; the Navy Estimates are fixed for Monday.

First Resolution *agreed to*.

Resolution 2 *agreed to*.

Resolution 3.

MR. SCOURFIELD said, he had heard with great satisfaction many of the statements made by the right hon. Gentleman. They had often heard about lightening the springs of industry, but he was afraid the meaning of that sometimes was the not paying our debts. He was glad that the principle for which he had long contended, of applying a part of the Revenue every year to the redemption of the Debt, had to a certain extent been recognized by the Chancellor of the Exchequer. They had no right to count on a continuance of the great commercial prosperity of the country, and it would be extremely wrong to neglect the opportunity which times like the present afforded of doing something in the direction he had mentioned.

MR. DODSON said, he wished to know whether it was proposed to dispose at present of all the different Resolutions connected with the Budget,

and have the discussion that day week on the Report, or whether they were to go on further at this sitting than the Resolution on the sugar duties? In the latter case they would be enabled to have the discussion in Committee, and there was a great convenience in dealing with the Budget in that manner.

SIR GEORGE JENKINSON thanked the Chancellor of the Exchequer for the very kind manner in which he had taken notice of the subject of local taxation. It was their duty to be thankful for small mercies, and those which had just fallen to the lot of the agricultural interest came within that category. It was commonly said that when a man had been kept from food for a long while he should be fed carefully at first so as not to produce repletion, and this was the principle on which the Chancellor of the Exchequer had acted. At the same time, he had held out a promise of doing something more in the future. It was difficult to see why the sugar duties should be totally abolished, while those on malt were left untouched. Last year, when the former were remitted one-half, his hon. Friend (Mr. Clare Read) asked why the Chancellor of the Exchequer did not turn his hand to malt, and he (Sir George Jenkinson) might now say the same thing. Surely the time had now arrived for dealing with the duties on malt. They were very heavy, and it could not reasonably be asked that the whole should be remitted at once; but, with so large a surplus as that which had just been announced, it might fairly have been expected that there would be a reduction of them to the extent of a third or a fourth. Three times within the last five years had relief been given to the consumers of sugar, and he could not see a reason for this special favour. He hoped the subject of the malt duties would receive the favourable consideration of the Chancellor of the Exchequer next year, for the tax pressed heavily upon the agriculturists, especially in the feeding of cattle. With regard to the remission of the horse duty, he thought that some of those who benefited most would be among the richer classes. Local taxation was very heavy, and was in danger of being increased, and this was one item which might have helped in its reduction by providing for the expenses of turnpike roads after the Trusts had expired.

SIR JOHN LUBBOCK congratulated the right hon. Gentleman on the very able Statement which he had just made to the Committee, and the magnificent surplus which he inherited from his predecessors. He, however, could not but regret that the right hon. Gentleman did not propose to do more for the reduction of the National Debt. If the present policy had been adopted in deference to the views of those who had specially studied the question, he would have been most loth to obtrude any mere views of his own on the House; but, on the contrary, the most eminent of our political economists had expressed themselves very strongly in favour of the reduction of the National Debt, though subject, of course, to the choice of a favourable time and opportunity. It had been said that practical politicians had taken a very different view, and had preferred reduction of taxation to reduction of Debt. This, however, appeared to have been done in deference rather to the supposed wishes of the country than in the exercise of their own deliberate judgment. In fact, our most eminent financiers had generally expressed themselves strongly on the wisdom of reducing our Debt. Sir George Lewis, one of the most sagacious of statesmen, speaking with all the responsibility of a Chancellor of the Exchequer, expressed his strong conviction that we ought to take steps to reduce our Debt, and that £5,000,000 a-year was too little to devote to such a purpose. The right hon. Gentleman the Member for the University of London (Mr. Lowe), when Chancellor of the Exchequer, said that "he would be glad, as far as he was concerned, if the House would consent to put on a shilling income tax for the reduction of Debt," which, however, he (Sir John Lubbock) thought would be going too far. The right hon. Gentleman the Leader of the Liberal party, in 1866, made a most eloquent and convincing speech on the subject, expressing his conviction that it was our duty "in the time of our wealth and prosperity to reduce our Debt." The present Prime Minister, when Chancellor of the Exchequer in the following year, referred at length to that speech, and said that he "entirely approved the policy which it enunciated." Nay, the right hon. Gentleman himself had that evening expressed the same views. Moreover,

when legislating for others, Parliament habitually acted on this principle, for when local bodies were authorized to borrow on the security of rates they were almost always compelled to redeem the loans so created within a certain number of years. *The Times* and *The Economist* had recently advocated the same view in a series of most able articles. Those who were of a different opinion generally assumed that the same amount would be saved, and the capital of the country would be increased equally, whether we reduced our taxation or whether we retained it, and applied the surplus to a reduction of Debt—that the difference was merely whether the amount was saved by individuals or by nations as a whole. This, however, was not the case. On the contrary, taxes were in the main paid out of income and not out of capital. It was, indeed, somewhat extraordinary that this should be denied by those who were anxious to apply the whole of any surplus to reduction of taxation, and who argued that such reduction was made up for by increased consumption, because in this case it was evident that for every £1 of taxation reduced, £4 or £5 must have been spent. Mr. Mill laid it down as an undoubted fact that "people did not wholly pay their taxes from what they would have saved, but partly, if not chiefly, from what they would have spent." So far from believing that national savings would diminish individual savings, he believed that the very reverse would be the case, and that the example of national thrift would tend to encourage prudence and economy on the part of individuals. Of course, he did not deny that there might be cases in which it was better to reduce or remove taxes rather than to pay off Debt. A tax which pressed heavily on trade or commerce might cost the country far more than it brought into the Exchequer. But this could not, he thought, be said to be the case at present. It was sometimes said that we should do well to continue the course which had been pursued in recent years, and which had been followed by so satisfactory an increase in the Revenue; but the fact was that we could not follow that course. The principle of the recent remissions had been to lower the taxes on the necessities of life, and it had, no doubt, been our fortunate experience that many of the previous



reductions of duty had been made up for by increased consumption. The buoyancy of our Revenue had not been entirely due to the remission of taxation, but greatly to the prosperity and increase of our trade and manufactures. The reduction of a tax would, no doubt, be recouped to a considerable extent by increased consumption. That could not happen when a duty was abandoned altogether, as was now proposed with the sugar duties. It might, perhaps, be admitted that a reduction of the Debt was desirable; but we were already devoting a fair sum annually to the purpose. But was that so? The amount which we paid on Terminable Annuities over and above that which we should have to pay on Consols was the only amount regularly allotted to this object, and this extra payment amounted to about £2,200,000 a-year. But surely if it was wise to reduce our Debt, no one could say that £2,200,000 was a reasonable amount? In 1866 the right hon. Gentleman the Leader of the Opposition considered an annual reduction of £3,500,000 to be far too little. We took credit to ourselves for the fact that during the last 15 years we had reduced our Debt at the rate of £2,800,000 a-year; but we must remember, on the other hand, the great improvement which had taken place in our national position during that period. Our exports and imports had actually more than doubled, having risen from £304,000,000 to £669,000,000, an increase of no less than £365,000,000. The proportion per head of the population also had increased from £10 14s. 5d. in 1858 to £21 0s. 6d. in 1872. Again, the total annual value of the property and profits assessed to the income tax had risen from £313,000,000 in 1857 to £465,594,000 in 1871, since which time, again, it must have very considerably increased. By the side of these figures how paltry did it seem to boast about having reduced the Debt at the rate of less than £3,000,000 a-year, especially when we remembered that during the same period taxes had been removed amounting to more than £23,000,000 a-year! But if, while the taxation had been so greatly reduced, the power of bearing it, so far as concerned the propertied classes, had been enormously increased, how was it with regard to those of our fellow-countrymen who lived on

weekly wages? The hon. Member for Hastings (Mr. Brassey), in a very interesting paper read before the Social Science Association last year, showed how considerable an increase had taken place recently in wages. The total amount of merchandize imported into the country was, in 1858, at the rate of £5 16s. per head; in 1872 it was £11 2s. 10d. per head; and if we took articles of general consumption we should find a very considerable increase. Thus the amount of wheat imported in 1868 was 87·5 lb. per head; in 1872 it was 162·8 lb. per head. Sugar, in 1858, 34·5 lb. per head; in 1872, 47·3 lb. Tea, 2·5 lb. in 1858; 4 lb. in 1872; eggs, 4·7 per head in 1858; 16·6 in 1872. An argument which was sometimes used against the reduction of Debt was that gold was diminishing in value. Surely, however, it was impossible for anyone to foresee what the value of gold would be 50 years hence. At present, some of the principal nations of the world had an inconvertible paper currency. But if, as was to be hoped, more enlightened views prevailed, much of that paper would be replaced by gold. Again, there was a tendency to substitute gold for silver, as was being done in Germany. It was not impossible that a gold currency might be established in India, and if China and Japan should follow the same example, which would probably be greatly to their advantage, we might live to see the value of gold considerably enhanced. Moreover, he thought the question became simpler if we reversed it, and asked whether it was not sometimes desirable, and even unavoidable, to borrow in times of war. But if this was so—and no one, he believed, denied it—then it was clearly necessary to reduce the Debt in times of peace. For it was obvious that if a nation borrowed while it was at war, and did not pay off in times of peace, its Debt would continue to increase until national bankruptcy was the ultimate and inevitable result. Moreover, there were special reasons why we should be very careful about reducing taxation at the present time. Wages showed a tendency to decline; but if this was the case, the consumption of beer and spirits—and, consequently, the Revenue—would decline too. Under these circumstances, then, there were special reasons why we should be unwise to deal with the present increase

*Sir John Lubbock*

in our Revenue as if it were permanent. The reduction of Debt in times of prosperity would equalize the national burdens, and lighten our difficulties in adverse times. Nor could it be said that we should in such a case be acting solely for the benefit of posterity. He was not, indeed, disposed to grudge what we could do for posterity; but in this case he maintained that many of us might hope to live to profit by, or suffer from, the course now adopted. If our Revenue fell off, or if any great war should tax our resources, we should indeed lament that we had omitted to avail ourselves of the present opportunity; and if, on the other hand, our prosperity continued, we should, he was sure, never regret that we had made some little sacrifice for so great an object. Mr. Cobden had quoted with approbation the saying of an American statesman that the reduction of Debt gave more strength to a nation than one hundred ships of the line ready for battle, or a hundred thousand armed soldiers; and the present Prime Minister himself, when Chancellor of the Exchequer, in 1867, truly said that—

“If a Chancellor of the Exchequer is called upon to go into the market to raise money, he will walk with a prouder mien, and experience greater facilities in raising money, if it can be shown that in the day of our prosperity we have made an honourable and an honest attempt to reduce the amount of our National Debt.”—[3 *Hansard*, clxxxvi. 1123.]

For his own part, holding the views which he did, he could not help wishing that the right hon. Gentleman, instead of dealing with £7,000,000, had dealt with £27,000,000 by Terminable Annuities; for, after all, the real danger to this country was not from attack in times of war, but from competition in times of peace. We were, he hoped and believed, making sufficient efforts to provide against the former, but he wished we were doing more to prepare for the latter. He regretted, therefore, the proposals of the right hon. Gentleman. His Budget might acquire a temporary popularity; but if he had taken a bolder course—one more in accordance with the convictions of our leading statesmen on both sides of the House, and with the opinions expressed in his own speech—he would better have consulted the real interests of the country, and have justly earned for himself the gratitude of the nation.

MR. BUTLER-JOHNSTONE said, he would have been glad if the Chancellor of the Exchequer had left the income tax where it was, and allowed the proceeds to go into the sinking fund of our National Debt. If our commerce were always to go on increasing it was of small importance whether we paid off our Debt or not; but it appeared to him we ought not to take for granted that the country would always be as prosperous as it was at present. The prosperity we had enjoyed for the last 20 or 30 years was more likely to be the exception than the rule, and the time might come when a Debt of over £700,000,000 would press heavily even on the indomitable energies of this country. As to the income tax being objectionable, why, all taxes were, for that matter, objectionable, and if they were to proceed to deal with them all for that reason they would never be able to reduce the National Debt at all. He contended that it was their bounden duty in a time of prosperity such as this to make some serious effort to reduce that Debt. An opportunity of doing so had been allowed to pass; a popular Budget had been prepared, and he almost despaired of seeing a serious effort made to reduce our enormous Debt. The present was an epoch in the history of our finances. The policy of stimulating our commerce to the utmost had borne fruit, and we were now in possession of an enormous surplus with which a great effort might be made to grapple with our gigantic Debt. The Statesmen of 1815 were wise in their generation, in neglecting the Debt, and turning their thoughts to stimulating the commercial and manufacturing energies of the country, in throwing the reins, as it was called, on the neck of the willing horse, so that the country might increase so much in wealth as not to feel the weight of a Debt which might otherwise have crushed it. But a totally different set of conditions had now arisen from those of 1815. We had now a plethora of wealth in the country, and he contended that it would be wise and statesmanlike in the day of our prosperity to prepare against a day of possible commercial depression and calamity. Without going into the question whether our coal supply was likely to be exhausted or not, he would point out that in the event of the price of coal continuing to advance our commercial prosperity might be greatly endangered.



If a calamity happened to the manufacturing industry of the country, the Debt would be seriously felt, and when war broke out we should not be in so favourable a position as we should occupy if the Debt were considerably reduced. He would be willing to give up the sugar duties if the income tax had been left where it was, and he therefore, with the hon. Baronet the Member for Maidstone (Sir John Lubbock) deeply regretted that the Chancellor of the Exchequer had not made a better attempt to reduce the National Debt.

MR. SYNAN said, he did not propose to enter into any discussion of so large a subject as the question of the reduction of the National Debt on the present occasion; but when it came to a matter of comparison whether there should be such a reduction, or a reduction of those taxes which interfered with the comforts and independence of the people, he should vote for that which affected their present prosperity—namely, the relief of those taxes which were hard to bear or tended to impede that prosperity. He wished to ask the Chancellor of the Exchequer, whether his scheme of affording relief in respect of local taxation would be extended to Ireland, as in that country the lunatic asylums were supported by the counties out of county rates, and not by unions as in England, and were a very heavy burden upon the ratepayers, who had no power to divide the rates with the landlord?

THE CHANCELLOR OF THE EXCHEQUER said, it was intended to extend the same relief to Ireland as to England and Scotland in that respect.

MR. SYNAN thanked the right hon. Gentleman for the satisfactory answer he had given to his question, and congratulated him on the able way in which he had introduced his Budget.

MR. W. STANHOPE said, he thought the projected change respecting the cost of the maintenance of lunatics would undoubtedly be a national advantage. It would also be an inducement to guardians to send fresh cases into asylums at an earlier stage, but it would cause the transfer of many chronic cases, now treated in the union workhouses, to the asylums, and a large increase in the number of lunatics sent into the county asylums, and, consequently, a vast charge would be thrown on the counties in providing additional accom-

modation. The cost per bed could not be estimated at less than £200. The remission of the horse duty would be valued by the small traders, and he himself had had many representations from them of the hardship with which this duty pressed upon them. But, on the other hand, one of the inducements which young farmers had for entering the Yeomanry was their exemption from this duty, and he feared, unless something was done to counteract it, the remission of the duty might have the effect of keeping many who otherwise would have entered the Yeomanry out of the service. On the whole he congratulated the right hon. Gentleman on his Budget.

SIR GEORGE BOWYER said, the Chancellor of the Exchequer deserved great credit for undertaking to deal with the question of local taxation. Lunatics were now better cared for than they used to be, poor-houses were better managed, and the rural police made more effective; and it must be admitted that the cost of these improvements had fallen very heavily on the land. The whole country benefited by improved asylums, better-regulated poor-houses, and a more efficient police, and yet, hitherto, it was the land upon which all the expense had fallen. The same might be said of schools. Great expense was gone to in providing schools, especially where there were school boards; and landowners were obliged to provide them, if they objected to school boards. All this entailed great burdens on land, and the grievance had been admitted by one Government after another; but none had had the courage to deal with it, because there were persons in this country who seemed to think that land and the owners of land ought to be treated as harshly as possible, and these people were just now doing all they could to injure the landlord, making him pay higher wages to the labourer. The labourer, no doubt, was in some places not sufficiently paid; but this system of agitation in his behalf was hurtful to the land, and if carried on and supported by those who ought to know better the land would be unable to bear the pressure. He believed that when the whole system of finance should be taken into account it would be found that some further alterations might be made to relieve the burdens on land without injury to any other interest or class of people in the country. As to the

question in reference to a reduction of the National Debt, he considered that the Chancellor of the Exchequer had wisely dealt with it. There was only one thing he regretted in the plan of the right hon. Gentleman. He wished the Chancellor of the Exchequer had taken into consideration a small tax which was very grievous to the poor—he meant the licence duty for hawking. He hoped he would do so in a future Budget, in order that an honest, industrious class of persons might have some relief from a tax which they found so hard to pay. There were many poor men and women who could earn an honest living by hawking goods, but were prevented by the licence duty, which they were unable to pay. He believed the Budget of the Chancellor of the Exchequer would be satisfactory to the whole country, and he hoped the right hon. Gentleman would not be prevented by any clamour from giving the relief he had promised to the land.

MR. MARTEN shared in the general expression of gratification with which the Budget of the Chancellor of the Exchequer was received; but he ventured to express his regret that the right hon. Gentleman had not dealt with the brewers' licence duty. At the same time, he derived encouragement from what the right hon. Gentleman had said, that he kept over this matter to be dealt with as part of the general question of the malt duty, which required more ample consideration than time would now allow. Still, he had hoped the brewers' licence duty would be dealt with on its own merits, or rather its demerits. The number of brewers who paid the duty was comparatively small. The great bulk of the brewers in this country brewed very small quantities, and their profits must therefore be—as in fact they were—proportionately small. According to the Return for the year ending the 30th September, 1872, the total number of common brewers was 30,798, but out of that number 28,549 were returned as brewing under 1,000 barrels of beer annually, which would represent about 250 quarters of malt, and, taking all expenses into consideration, would not leave a profit in the best of such cases of more than £250 a-year. In the majority of cases it might be taken at from £100 to £150. In bringing the case of these persons under the notice of the Committee,

he was anxious to show that they were in reality dealing not with a few great brewers whose large establishments and colossal fortunes were the wonder of many, and perhaps the envy of some, but with a very large portion of a trade whose production was small and whose profits were in proportion. It was upon this, by far the largest class of brewers, that the licence duty fell with crushing severity. There were some private brewers who brewed over 1,000 barrels a-year; and from the experience of the brewery companies, who published their accounts annually, there was no difficulty in arriving at an approximate estimate of the profits of the small brewers, who constituted so overwhelming a portion of the trade. He believed that none of the brewery companies had last year declared a larger dividend than 10 per cent upon their capital. These companies carried on business upon a very large scale, with all the advantages of the best machinery, and with a capital which could command the best article in the market at the lowest price. The small brewer who turned out his 1,000 barrels a-year had no chance of realizing equal profits, and yet he had to pay as heavy a licence duty. The result of this system was seen in the continuous decrease of the number of common brewers in England. In 1867 they were returned as 37,110; in 1868, 35,629, and so on; in consecutive years they had been reduced to 32,000, to 31,000, and in 1872 to 30,798. This showed that the effect of the burden was more and more to drive the small brewers out of the market, and to give the large brewers a more complete and extended monopoly of the trade. With regard to the origin of the tax it was essential that certain facts should be borne in mind. It was said, in imposing the new brewers' licence duty, that it was put on as some equivalent for the abolition of the hop duty. It was assumed by the then Chancellor of the Exchequer (Mr. Gladstone) that the brewers would benefit to the full extent of the remission of the hop duty. The tax itself was objectionable in many respects, apart from its financial bearing, and the right hon. Gentleman said he was willing to abolish it if the brewers would agree to the imposition of a licence duty instead. The average receipts from the hop duties were £280,000, the income from the old brewers' licences was

£70,000, together in round numbers £350,000, from which was to be deducted £5,000, the cost of collection, leaving a net receipt of £345,000 a-year. The right hon. Gentleman calculated that the new brewers' licence duty would yield a sum of £300,000 annually; and therefore that there would be a loss to the Government of £45,000 a-year by the change; but the fact was, that instead, there had been an almost annual excess, over the former receipt of £345,000, to the extent in some years of £40,000 and upwards. That arose partly from the manner in which the duty was levied per barrel; and the brewers, both large and small, had not felt the effect of the abolition of the hop duty in the way it was expected. The area of ground upon which hops were grown was limited; in fact, hops were in the hands of a few monopolists, and they were the only persons who had derived benefit from the remission. The brewers had, in fact, paid even higher prices than before. For these reasons he regretted that the right hon. Gentleman had not taken this special case into consideration.

MR. GRIEVE called attention to the dates fixed for the cessation of the sugar duties, comparing the intervening periods with those allowed on former occasions, and said he believed that, if the Chancellor of the Exchequer would hear the sugar refiners, he would see reason to make a change in the dates that were proposed in the Resolutions. He complimented the right hon. Gentleman upon his courage in abolishing those duties. Its effect on the shipping interest and upon the commerce of the country would be most beneficial.

CAPTAIN RITCHIE observed, that the poorer classes of income tax-payers had expected to receive some consideration in this Budget, and it had been hoped that a portion of the surplus would be devoted to raising the limit of exemption to £200 or £250. He thought that if some portion of the sum which had been given to the remission of the duty upon horses had been appropriated in that direction, it would have given more general satisfaction to the country at large.

MR. MELLY said, he rose to continue the psalm of praise with which the truly Liberal Budget of the right hon. Gentleman had been received on that side

of the House. He thought congratulations were due to him first upon coming into possession of so large a surplus as £6,000,000, and secondly upon his fair and reasonable distribution of that large sum—the economies of a former Administration. The Chancellor of the Exchequer had said that his predecessor (Mr. Gladstone) had “like Cambuscan bold left half his tale untold,” but he (Mr. Melly) must remind hon. Members opposite that the story was not only half told, but more than half disbelieved. Not only by many Members of the Conservative party, but by the whole of the Tory Press, had the figures of the late Prime Minister been violently disputed and ignorantly denied; few were they who had given him that credence and credit for perfect exactitude which facts had that night so triumphantly proved to be his due. As the Chancellor of the Exchequer had well said, no other result could have been expected from calculations made by “the most eminent financier of the present century.” As regards the distribution of the surplus under the excellent proposals of the Government, local taxation would be relieved of a charge of £1,000,000 without impairing the securities for economy. By increasing the subscription of the central Government to the local police force from one quarter to half, no change was made in the powers of the county and borough authorities, and the grant of 4s. a-week towards the maintenance of pauper lunatics still left the inducement to kind, careful, and economic management on the part of the local governments. He much approved the appointment of £2,000,000 of the large surplus with which the Chancellor of the Exchequer had had to deal to the total repeal of the sugar duties, which would give great satisfaction to the constituency which he represented. He thanked Her Majesty's Government also for this subscription to the policy of a “free breakfast-table.” The consumption of sugar had greatly increased. The hon. Member for Liverpool (Mr. Torr) stated last year that the price of sugar would be maintained, though half the duty was repealed, and that the grocers alone would reap the benefit. Within a month, shops were placarded with the announcement that sugar had fallen one halfpenny a pound. No doubt, in a few days, they would see

red bills announcing a further reduction in price. Speaking from some little knowledge of the subject, he was quite certain that nothing would more greatly conduce to the development of the trade of London, Liverpool, and the other great outports than the total abolition of the sugar duties; as the right hon. Gentleman had said England would become—still more than she was—the “entrepôt” of the sugar trade. Their ships sailed and steamed from every sugar shipping port; they had almost a monopoly of the carrying trade from sugar producing countries, and now that all the vexatious differential duties were done away with, the stocks of cane sugar necessary for the supply of Europe would be very largely held in this country, while its re-distribution would increase their trade. The simpler forms of purification would be carried on in Jamaica and other Colonies, and sugar would be more and more cheaply supplied direct to their industrial classes. He also approved of the reduction of the horse duty, which every cart and cab owner would appreciate, as well as many thousands of the smaller class of tradesmen. He thought the Budget would be generally approved, and hoped a rule of economy and prudence would enable the right hon. Gentleman to continue thus to carry out the policy of his predecessors in office.

MR. W. H. SMITH, in the absence of the Chancellor of the Exchequer, undertook that the question put by the hon. Member for Greenock (Mr. Grieve) should be carefully considered. It was not proposed to repeal the duty on refined sugar till the 21st of May, so that more than a month would be given to refiners to work out their stocks. It was the intention of the Government to take the Resolution on sugar that night, and to postpone the Resolutions on the income tax and the horse duty until Thursday next.

SIR WILFRID LAWSON said, he was happy to be able to join in the congratulations offered to the Chancellor of the Exchequer on the Budget which he had produced. He considered that the right hon. Gentleman had made a good use of the splendid inheritance to which he had suddenly and unexpectedly succeeded. The House appeared to be tolerably satisfied with his financial scheme, and he fancied that the country

would not find very much fault with it. There was only one class of persons who seemed to have been left out in the cold, and that was their friend the brewer. He must congratulate the right hon. Gentleman and the Government to which he belonged on the moral courage which they had shown in dealing with that interest; because, as they all knew, there had been representations going about the country that the Government found themselves in office through the influence and power of the great brewers. Any person who listened to the speech of the Chancellor of the Exchequer must be convinced that the Government would not pay any regard to private interests, but consider only what would be best for the country at large. Last year the present Premier observed that it was a regular thing on a Budget night for the Chancellor of the Exchequer to say there was a large increase on spirits, and then, with a face arranged for the occasion, state how much he regretted it. But happily there was no pretence in the Chancellor's statement that evening; for in no part of his speech was he more earnest than when eloquently deprecating the large quantity of spirits consumed in this country during the past year; and he (Sir Wilfrid Lawson) was pleased to see how cordially the House greeted those remarks of the right hon. Gentleman, showing that he was not alone in regretting what was going on in the country at the present time. He was glad also to find the right hon. Gentleman exploding the nonsensical notion that the Revenue would suffer if the people drank less. The mode in which we raised about one-third of our Revenue was something contemptible. A great swarm of collectors was, as it were, sent forth in the shape of publicans and beer sellers commissioned to gather in from the people money required by the national Exchequer. The right hon. Gentleman was correct in saying that pauperism had not diminished, but increased of late years in proportion to our population, and unfortunately the same was the case with regard to lunacy and crime. When a director of the Hudson's Bay Company, the right hon. Gentleman took credit to that body for preventing the sale of drink in their territories; but why should not the people of this country enjoy the same



blessing? He hoped before long to find the right hon. Gentleman advancing still further towards the views he himself advocated.

COLONEL BARTTELOT, while congratulating his right hon. Friend both on the position he now filled and on the surplus he had at his command, also congratulated a right hon. Gentleman not then in his place (Mr. Gladstone) on the substantial accuracy of the statement he had recently made as to the state of the national finances. He had never denied or concealed from himself that the right hon. Member for Greenwich was a man on the substantial correctness of whose figures they could rely. As to the horse duty, agriculturists had enjoyed exemption, and he was glad the commercial community would be benefited by the abolition of the tax. With respect to the malt tax, there was no longer the same agitation as when the price of barley was from 26s. to 30s. a quarter, and as long as the price remained at 50s. farmers would not feel very strongly on the question; but he regretted that the Chancellor of the Exchequer should have dispensed the large surplus of £5,492,000, and proclaimed his inability, from the want of resources to meet the wishes of the farmers and agricultural classes in this respect. Was it wise to defer dealing with a question of this kind? He (Colonel Barttelot) had never advocated immediate abolition; but he thought the tax should be gradually reduced in prosperous times, particularly as whenever household suffrage was extended to counties—which he hoped was a very distant day—the class enfranchised by it would denounce a duty on one of their chief articles of consumption. The Chancellor of the Exchequer might have more fully considered dealing with the tax by an increase of the brewers' licences. His hon. Friend (Mr. Greene) laughed at this, knowing well that the repeal of those licences would have simply benefited the brewers, whom, as the farmers' best customers for barley, he himself should have wished to have helped had he been able. Another plan would have been to limit the amount of the tax, say to £6,000,000, remitting any excess in the interest of barley growers, and a third, which he should have preferred, would have been a moderate reduction, such as 8½d. out of the

2s. 8½d. per bushel, which was the present amount paid. Turning to the income tax, he regretted that instead of the reduction of a penny, the Chancellor of the Exchequer had not exempted incomes under £250 or £300 a-year. The feeling against the tax had been produced by a former Chancellor (Mr. Lowe) having insisted on raising every farthing he could from it, and the pressure had been most severe on the possessors of small incomes. The repeal of the sugar duties might be inevitable, and was preferable to reducing both the sugar and the tea duties, in which case both must speedily have been given up; whereas there was now hope of retaining one of them. He doubted, however, whether, considering the low price of sugar, the consumer would benefit. He congratulated his right hon. Friend on his Budget, though he should have desired alterations on some points.

MR. J. W. BARCLAY thanked the right hon. Gentleman for the remission of the horse duty, which he felt assured would be received as a great boon by the farmers of the country. So far as Scotland was concerned, the farmers felt that they had been rather harassed by the late Chancellor. The right hon. Baronet seemed also to correctly understand the feelings of the farmers with respect to the dog tax. The farmers were not in favour of the total abolition of that tax. He believed they would approve of the suggestion to double the present tax, and exempt those from payment who kept sheep. There was another tax in regard to which the farmers felt strongly, and that was the gun tax. Farmers, though allowed to shoot vermin, might only scare birds, and rooks, which used to be shot by persons who would not pay the duty, had alarmingly increased. The tax was so small a matter that it would not affect the Financial Statement, and he hoped the Chancellor of the Exchequer would deal with it on the next opportunity.

MR. MUNTZ said, he did not see how the Chancellor of the Exchequer could have abolished the income tax, though after the proclamation last January many persons had expected, and would have benefited by such a course. After the unfortunate step taken last year, the remission of the sugar duty had become inevitable. With respect to the relief

proposed to be given to local burdens it had been stated that a great boon, amounting to £1,010,000, had been granted to the landed interests. But local taxation affected towns as well as country. In his opinion, a fairer apportionment could not possibly be made. Towns had their proportion of lunatics, and the police were more required in the towns than in the country. On behalf of his constituents, he accepted the exemptions granted as a boon, for which he thanked the right hon. Gentleman. Then, as regarded the £170,000 in respect of the rating of Government property, the towns would reap almost the whole of the benefit conferred. With respect to horses, the proposal of the Chancellor of the Exchequer would be hailed with much pleasure by those who got their livelihood, whether in country or town, by means of a horse and cart. Having said so much in favour of the financial scheme of the right hon. Gentleman, he was sorry to have to add a word which was not so agreeable. He feared that the Chancellor of the Exchequer had estimated next year's income rather beyond what he would find it. It was impossible to deny that the inflation of the last two years was coming to a close. The present high rate of wages, which had been occasioned by strikes and exceptional demands, could not be maintained. Strikes were occurring every day, and exports were falling off. He trusted he was mistaken; but taking all things into consideration he could not but doubt the accuracy of the right hon. Gentleman's Estimate. On the whole, however, the Budget would, he believed, meet with the general approval of the country.

MR. STORER congratulated the Chancellor of the Exchequer for so considerably lightening the burdens so long borne by the real property of the country; but he could not view the Budget with unmixed satisfaction, because he thought agriculturists had a right to expect that justice would have been granted to them in regard to the malt tax.

MR. SANDFORD said, he was much disappointed that incomes below £300 a-year were not wholly exempted from income tax.

MR. COLMAN said, that whilst some complaints had been made that the malt tax had not been dealt with, it was only fair, on the other hand, to remember

that there was much diversity of opinion amongst barley-growers themselves on the question. Coming from one of the largest barley-growing counties in the Kingdom, he could state from his own knowledge that many farmers were of opinion that the abolition of the duty would not be for their benefit. He was not giving any opinion himself on the wisdom of the tax, but till the farmers were more agreed amongst themselves they could not expect the question to be dealt with. Amongst the many thanks which had been expressed to the Chancellor of the Exchequer for his remission of taxation he had to express one regret. He should have preferred that the horse tax should be handed over to the local authorities instead of being abolished, believing it was a tax which might properly and fairly be used as an alleviation of local burdens. At the same time he had to express on behalf of those who were interested in the question of local taxation their thanks for the relief already given, and for the promise of further consideration of the question before another Budget.

THE CHANCELLOR OF THE EXCHEQUER, in reply, thanked the Committee for the favourable reception which the proposals he had laid before them had received at both sides of the House. He could not help thinking that with the surplus at the disposal of Her Majesty's Government, his task had been a comparatively easy one. He was glad that, upon the whole, the Committee appeared to think he had made a fair and right selection of taxes to be abolished or reduced. This he could certainly say, in confirmation of what had fallen from the hon. Member for Birmingham (Mr. Muntz)—that they had been solely anxious to do that which should be best for the general interests of the country without caring to inquire whether land or town would benefit most by their proposals. He believed with the hon. Member, however, that, in many instances, towns would receive a larger share of benefit than the country, and the Government were particularly anxious to promote the improvement of the dwellings of the people in towns. No particular questions had been raised in the course of the discussion to which he need advert at length. With reference to an observation that had



been made by the hon. Member for Greenock (Mr. Grieve) relating to the date of the abolition of the sugar duties, he might state that the point had been carefully considered by the Government, who, in fixing the date for their abolition, had followed the example which had been set them last year, and from all he could ascertain the date fixed would be the most convenient for the trade, the public, and the refiners, the latter of whom would have until the 21st May to get rid of their stocks. With regard to the point referred to by the hon. Member for Maldon (Mr. Sandford), he had already stated that the Government reserved the question of the income tax, both as to its structure and its incidence, until next year, merely reducing it for the present one penny in the pound, and therefore the matter alluded to by the hon. Member had not been raised. With reference to the course of Business, the Government would have been glad to have all the Resolutions proposed that evening, and to have had them reported next week; but there seemed to be a wish on the part of several hon. Members whose opinions were of great weight and authority in that House that a further discussion on some of the Resolutions should be had in Committee of Ways and Means. He, therefore, proposed only to take the Resolutions relating to the sugar duties that night, leaving those relating to the income tax and the horse duty to be taken on that day week. Monday night would be taken up by the Navy Estimates, and, therefore, he proposed that the Report of the Resolutions to be agreed upon that night should be brought up on Thursday next, and that afterwards the House should go into Committee of Ways and Means to discuss the Resolutions relating to the income tax and the horse duty, the Report upon which he hoped would be able to be taken on Friday, the 24th instant, the Standing Orders as to Motions on going into Supply being suspended for that purpose. It was, of course, desirable to get the Resolutions with regard to the rate of the income tax settled as soon as possible.

*Resolution agreed to.*

*Resolutions to be reported upon Thursday next;*

*Committee to sit again To-morrow.*

*The Chancellor of the Exchequer*

# MUTINY BILL.—COMMITTEE.

*(Mr. Raikes, Mr. Secretary Hardy, The Judge Advocate.)*

*Bill considered in Committee.*

*(In the Committee.)*

MR. RUSSELL GURNEY said, he was a Member of a Commission appointed in 1868 to inquire into the state of the law relating to military offences. That Commission reported that the law was in a complicated state and required alteration. Since then there had been several changes in the office of Judge Advocate, and no step had been taken in compliance with the recommendations of the Commission. He was desirous to know what course Her Majesty's Government proposed to take on the subject?

MR. STEPHEN CAVE said, there was no doubt such a measure as had been sketched out by the right hon. and learned Gentleman was much desired in the Army. At the same time, he must state that the opinion was not unanimous in the Service as to the advantage which would result from the codification of the law, for there were many officers of high rank who thought it would be better to preserve the Mutiny Bill in the form it now existed, subject to such amendments as might be made in it from year to year. His attention had been called to the subject, and he hoped to be able to do something in this matter, if not this, at all events, next year.

Clause 2 (Persons subject to this Act).

MR. STEPHEN CAVE moved, in page 3, line 34, after "training and exercise," insert—

"and to all men enrolled in the Reserve Force when called out for training or exercise, or when kept on duty having volunteered their services, or when called out in aid of the civil power, or when called out on permanent service under Her Majesty's Proclamation."

The right hon. Gentleman, in reply to the hon. Gentleman (Mr. Campbell-Bannerman) explained that the words were intended to render the Militia Staff liable to be tried by Court-martials consisting of other officers besides those of their own regiment. He wished to add a few words to his reply to his hon. and gallant Friend the Member for Oxfordshire (Colonel North) the other night on trials for desertion and absence without leave. The object had been not to

multiply unnecessarily trials for desertion, which, as he had said, caused the risk of making soldiers view the offence too lightly. *Simmons on Courts Martial* the text-book on such matters defined desertion, as "absence without leave with the intention of not returning." And one evidence of such intention in a soldier was his exchanging his regimentals for plain clothes. But the converse was not necessarily true—namely, that a man who had not made this exchange was therefore not a deserter. That would be absurd. The case mentioned by the gallant officer was not referred to the Judge Advocate, therefore he (Mr. S. Cave) inferred that the man was tried by regimental Court-martial which could not deprive him of his good conduct pay for past services, but if he had been tried by district Court-martial, even for absence without leave, the Court might have inflicted a very severe punishment, and have awarded also forfeiture of good service pay.

Amendment agreed to.

Clause agreed to.

Clauses 3 to 106, inclusive, agreed to.

Clause 107 (Liability of soldier to maintain wife and children).

MR. P. A. TAYLOR moved to substitute "shall" for "may" in page 64, line 10, so as to remove all discretion from a soldier's commanding officer in allowing the law to be put in force against him for the desertion of his family and leaving them chargeable to a union. The broad question he desired to raise was, whether a soldier was to be exempted from the responsibilities which attached to other citizens in the same particulars. In 1837 a clause was introduced into the Mutiny Act providing that no soldier should be liable to be arrested for neglecting to obey an order of a magistrate for the maintenance of his wife or children or illegitimate children, and according to *Hansard* that enactment was passed without discussion or remark. He thought that more opportunity should be given for the consideration of such a provision than could be afforded during the rapid passing of the Mutiny Bill through Committee. In the present instance, no information respecting the Bill was to be had until it had been read a second time, and there were several of its details which ought

not to be treated as matters of form in that way. The country generally seemed to be unaware of the nature of these exemptions until 1872, and in the month of July in that year Mr. Cardwell pledged himself to the expunging of the 40th section. In the following year Mr. Cardwell again referred to the subject, and when the Bill was brought in it was found that the section had been expunged, but that the prosecution of our soldiers was still made so difficult by other provisions that the subject remained in the same state. It seemed absurd that the execution of the ordinary decisions of the law should be left to the discretion of a commanding officer or of a Secretary of State; and it was virtually a denial of justice to a poor woman to make her lodge a sum of £2 to enable her husband to attend the hearing of the case, which she could only get back afterwards in instalments of 1s. 9d. a week. Such provisions rendered the law unworkable and a dead letter, whether that was intended or not. He trusted the Government would see their way to carry out the unfulfilled promise of their predecessors, and not only omit the obnoxious section so much complained of, but also remove the obstructions which rendered the law unworkable.

Amendment proposed, in page 64, line 10, to leave out the word "may," and insert the word "shall."—(*Mr. P. A. Taylor.*)

MR. STEPHEN CAVE said, the clause which was introduced by the late Government took away the entire impunity which a soldier formerly enjoyed who deserted his wife and children. This was a great alteration in the previous law, but it appeared to be a wise and humane provision, and as it only became law last year it was somewhat early to amend the section without further proof of its working. There was good reason for intrusting discretion to the Secretary of State. The hon. Gentleman was aware that stoppages were made from the pay of the soldiers for various reasons, and if discretion were not left with the Secretary of State it might occur that the soldier would absolutely be left without food or clothes. If, too, a large amount was stopped out of his pay, the soldier was almost sure to desert. He quite admitted the diffi-

culties of the subject, and his sympathies were very much with the hon. Gentleman; but, looking at a standing Army as a necessary evil, he did not think the House would be justified at present in carrying the law further in the direction suggested.

COLONEL ALEXANDER pointed out what he considered to be an anomaly in the existing law, illustrating it by a case which had actually occurred in his own battalion. A corporal was ordered by a magistrate to pay 2*s.* 6*d.* a week for the support of his illegitimate child, and the Secretary of State for War was empowered to withhold 3*d.* a day, or 1*s.* 9*d.* a week, from the man's pay. The corporal became a sergeant, and the payment of the 1*s.* 9*d.* still continued. On the other hand, a full sergeant might be summoned under similar circumstances and might be ordered to pay 2*s.* 6*d.* a week; but in his case the Secretary of State for War might stop any sum not exceeding 6*d.* a day, so that there might be in the same battalion two sergeants, the one paying 6*d.* and the other only 3*d.* a day. Another anomaly was that while a sum not exceeding 3*d.* a day might be stopped from a soldier's pay for the support of a wife or children whom he might have deserted, the commanding officer, who was very much hampered in invoking the aid of the Secretary of State for War by being obliged to supply information with respect to the antecedents of the woman, could not take action on his own responsibility, but was obliged to apply to the Secretary of State for War to authorize him to place the soldier under stoppage. He did not see why the commanding officer should not himself be intrusted with the necessary authority, subject, of course, to appeal to the Secretary of State for War.

MR. CAMPBELL - BANNERMAN said, that we ourselves had made for the soldier an artificial condition of life, and we were bound to do all we could to protect him from its consequences. He was continually liable to be removed from one end of the country to the other in the discharge of his duties, and was thus peculiarly open to false and vexatious charges of this kind. Such charges might also be got up in collusion with the soldier in order that he might escape some irksome duty. To prevent these possible evils the re-

striction had been introduced by the late Secretary of State for War, and he hoped that until we had a little more experience in the matter there would be no alteration. The arrangement might not be perfect; but it was, at all events, too early to interfere with a well-intentioned arrangement which had, so far as he knew, hitherto generally worked in an unexceptionable manner. As to the case of the two sergeants just mentioned, he had no doubt it would be set right if the attention of the Secretary of State for War were duly called to it.

Question put, "That the word 'may' stand part of the Bill."

The Committee *divided*:—Ayes 240; Noes 103: Majority 137.

MR. P. A. TAYLOR moved, in page 64, line 15, after "degree," leave out to end of clause.

MR. STEPHEN CAVE said, he could not assent to the Amendment. It must be remembered that the first duty of military authorities was to keep the Army in the state of efficiency and readiness for which a standing Army was maintained. There were two sides to the question, and there might be cases in which women proceeded against the soldier because they knew where he was, and that he had money which might be relied upon; whereas another man might have absconded, or might have nothing to pay. Then, again, there might be collusion between a woman and a soldier for the purpose of getting him away from his regiment, and enabling him to desert. The money was an evidence of *bona fides*, and might be recoverable as costs. As to the last paragraph of the clause, he could hardly imagine that the hon. Gentleman was serious in wishing to strike it out. It might have the result of causing uncertainty in the numbers of men available for some most important operation; because in addition to the chance of collusion, which he (Mr. S. Cave) admitted to be small—for the British soldier did not shrink back on such occasions—summonses might be issued from motives of revenge, or even those of an opposite character, and, whether well founded or not, might seriously diminish the strength of the force. He was, however, not responsible for the clause which might be capable of amendment. He based his

*Mr. Stephen Cave*

opposition to the Amendment of the hon. Member on the shortness of the time during which it had been in operation.

MR. STANSFELD said, it was doubtful if the clause fairly met all cases of affiliations, and he hoped the Secretary of State for War would undertake to consider the subject.

MR. GATHORNE HARDY said, the hon. Member for Leicester (Mr. P. A. Taylor) had not brought forward a single instance in which the clause had debarred a woman from proceeding against a soldier. Suppose a soldier were transferred from Manchester to Portsmouth, and a summons were served upon him to answer a charge of affiliation in Manchester, any one knew that he was not likely to be in possession of money to enable him to proceed to Manchester, and that was the ground on which Lord Cardwell agreed to this clause. It had been in operation a year, and no complaint had been made against its operation. In the absence of such a clause there might be cases of collusion in which women wished to get their paramours returned from the places to which they had been transferred.

*Amendment negatived.*

Bill *reported*; as amended, to be considered *To-morrow*.

#### CONVEYANCING AND LAND TRANSFER (SCOTLAND) BILL—[BILL 60.]

(*The Lord Advocate, Mr. Secretary Cross,  
Mr. Cameron.*)

##### SECOND READING.

Order for Second Reading read.

THE LORD ADVOCATE, in moving that the Bill be now read a second time, said, he did not intend to enter into the details of the measure. He rose simply for the purpose of intimating the course of procedure which he proposed to adopt if the Bill should be read a second time that night—a stage which he understood was not opposed. He proposed that the Bill should be committed *pro forma* on that day three weeks, for the purpose of giving effect to any alterations which, in the meantime, he might consider improvements upon the Bill. He trusted, therefore, that those hon. Members who had any improvements to suggest would take the opportunity of making them before that day three weeks.

MR. M'LAREN said, he thought the proposal of the Lord Advocate to post-

pone the Committee was quite satisfactory. In its main parts the Bill was a good one, but some clauses required alteration.

*Motion agreed to.*

Bill read a second time, and *committed* for *Thursday 7th May*.

#### CHURCHWARDENS BILL—[BILL 31.]

(*Mr. Monk, Mr. Goldney.*)

##### SECOND READING.

Order for Second Reading, read.

MR. MONK, in moving that the Bill be now read a second time, explained its object to be to provide facilities for the admission of Churchwardens into Office. It enabled a Churchwarden to make the declaration required by law before the rural dean or incumbent of his parish, instead of waiting for the Archdeacon's or Bishop's visitation to be admitted. Until admission the title was not complete, and the outgoing churchwardens remained in office, when the Bishop's visitation took place in the autumn, for six months after their successors had been appointed. Great inconvenience arose therefrom in places where the churchwardens were *ex officio* guardians of the poor, and had statutory duties to perform; as, for instance, signing the lists of burgesses. The Bill did not interfere with the rights of the ordinary to require the attendance of churchwardens at the visitations. Last Session a Bill having, so far, a similar object in view was introduced in "another place," by a most rev. Prelate (the Archbishop of York), and if it had been confined to that object there was every reason to believe that it would have become law. But the Bill of the most rev. Prelate also proposed to increase the stipends of certain ecclesiastical officers, and in consequence of that provision it eventually failed.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Monk.*)

MR. BERESFORD HOPE said, he thought that it was desirable that churchwardens should attend Archdeacons' visitations as frequently as possible, to consult with other officers of the church on practical matters. Churchwardens were, doubtless, very respectable men in their way, but they were not all alike. There was considerable difference



in their qualifications. They were not Archbishops, nor even Bishops, and looking at this late period of the Session, he considered it advisable that the House should not proceed with the Bill now, and he therefore moved that it be read a second time that day six months.

MR. SALT, in seconding the Amendment, said, that as the Bill only touched the fringe of a difficult question the hon. Member for Gloucester (Mr. Monk) should postpone it until the whole subject had been fully considered. He hoped the hon. Member would comply with that suggestion, and not put the House to the trouble of dividing.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(Mr. Beresford Hope.)

MR. GOLDNEY supported the Bill, on the ground that it afforded the churchwardens an easy method of qualifying themselves by going before the vicar or chairman of the vestry and taking the necessary oath.

MR. MOWBRAY said, he hoped the hon. Member for Gloucester would postpone the measure, which was but a tinkering and piecemeal mode of legislating upon a much wider subject than that which the measure professed to deal with.

MR. ASSHETON CROSS said, he thought that the best way would be to allow the matter to stand over till it could be dealt with by a more comprehensive measure. He strongly objected to having a series of small measures upon ecclesiastical subjects. He found, as the result of a correspondence on the subject, that the vast majority of Bishops over the country were opposed to the Bill.

MR. MONK said, that after the discussion which it had elicited he would not proceed with the Bill.

MR. BERESFORD HOPE said, he was not disposed to withdraw his Amendment. He would suggest that the Bill should be simply negatived.

Question, "That the word 'now' stand part of the Question," put, and negatived.

Words added.

Main Question, as amended, put, and agreed to.

Bill put off for six months.

Mr. Beresford Hope

#### EXPLOSIVE SUBSTANCES.

Select Committee appointed, "to inquire into the Law relating to the making, keeping, carriage, and importation of gunpowder, nitro-glycerine, ammunition, fireworks, and all substances of an explosive nature, and to consider the best means of making adequate provision for the safety of the public and of the persons employed in such making, keeping, carriage, and importation, with a due regard to the necessities of the trade."—(Mr. Secretary Cross.)

And, on April 17, Committee nominated as follows:—Sir HENRY SELWIN-IBBETSON, Mr. STEVENSON, Sir JOHN HAY, Mr. LAIRD, Mr. BELL, Colonel NORTH, Mr. NORWOOD, Mr. EDWARD STANHOPE, Mr. WHITWELL, Mr. KNOWLES, Mr. M'LAGAN, Mr. HICK, Mr. DILLWYN, Mr. WHITELOW:—Power to send for persons, papers, and records; Five to be the quorum.

And, on April 20, Mr. ARTHUR VIVIAN added.

#### SALE OF LIQUORS ON SUNDAY BILL.

On Motion of Mr. WILSON, Bill to extend to the whole of Sunday the present restrictions on the Sale of Beer and other fermented or distilled Liquors, ordered to be brought in by Mr. WILSON, Mr. BIRLEY, Mr. WILLIAM M'ARTHUR, Mr. CAWLEY, Mr. EDWARD G. DAVENPORT, and Mr. OSBORNE MORGAN.

Bill presented, and read the first time. [Bill 69.]

#### CRUELTY TO ANIMALS LAW AMENDMENT BILL.

On Motion of Mr. MUNTZ, Bill to amend the Law relating to Cruelty to dumb Animals, ordered to be brought in by Mr. MUNTZ, Sir THOMAS BAZLEY, and Mr. SAMPSON LLOYD.

Bill presented, and read the first time. [Bill 70.]

#### APOTHECARIES ACT AMENDMENT BILL.

On Motion of Sir JOHN LUBBOCK, Bill to amend the Act of the fifty-fifth year of King George the Third, chapter one hundred and ninety-four, intituled "An Act for better Regulating the Practice of Apothecaries in England and Wales," ordered to be brought in by Sir JOHN LUBBOCK, Dr. LYON PLAYFAIR, and Mr. PLUNKET.

Bill presented, and read the first time. [Bill 71.]

House adjourned at half after  
Twelve o'clock.

#### HOUSE OF LORDS,

Friday, 17th April, 1874.

MINUTES.]—PUBLIC BILL—First Reading—  
Boundaries of Archdeaconries and Rural Deaneries \* (28).



SIR GARNET J. WOLSELEY.

THE QUEEN'S MESSAGE.

Order of the Day for the consideration of the Queen's Message of yesterday read.

THE DUKE OF RICHMOND said, that as there had been such an ample debate on the subject of the Ashantee Expedition, he did not think it necessary, in reference to the proposed grant to Sir Garnet Wolseley, to do more than move this Resolution—

That an humble Address be presented to Her Majesty to return Her Majesty the Thanks of this House for Her Majesty's most gracious Message informing this House "That Her Majesty, taking into consideration the eminent services of Major-General Sir Garnet J. Wolseley, K.C.B., G.C.M.G., in planning and conducting the recent Expedition into Ashantee, and [being desirous in recognition of such services to confer some signal mark of Her favour upon him, recommends to the House of Lords to concur in enabling Her Majesty to grant Sir Garnet J. Wolseley the sum of Twenty-five thousand pounds;" and to assure Her Majesty that this House will cheerfully concur in enabling Her Majesty to make such provision.—*(The Lord President.)*

Motion agreed to;—And the said Address was ordered to be presented to Her Majesty by the Lords with White Staves.

#### BOUNDARIES OF ARCHDEACONRIES AND RURAL DEANERIES BILL. [H.L.]

A Bill to facilitate the re-arrangement of the Boundaries of Archdeaconries and Rural Deaneries—Was presented by The Lord Bishop of Exeter; read 1<sup>st</sup>. (No. 28.)

House adjourned at a quarter past Five o'clock, to Monday next, Eleven o'clock.

#### HOUSE OF COMMONS,

Friday, 17th April, 1874.

MINUTES.]—NEW WRIT ISSUED—*For* Preston, *v.* John Holker, esquire, Solicitor General. SELECT COMMITTEE — Explosive Substances, nominated.

SUPPLY—considered in Committee—ARMY PURCHASE—CIVIL SERVICE ESTIMATES.

Ordered—First Reading—Parliamentary Voters Registration (Ireland)\* [72]; Agricultural Labourers' Dwellings (Ireland)\* [73]; Barristers (Ireland)\* [74].

First Reading—Attorneys and Solicitors\* [75].

Second Reading—Municipal Franchise (Ireland)\* [34], put off.

Considered as amended — Mutiny\*; Marine Mutiny\*.

#### CONTROVERTED ELECTIONS—AYR BURGHES AND ISLE OF WIGHT.

MR. SPEAKER informed the House, that he had received from the Judges selected for the Trial of Election Petitions, pursuant to the Parliamentary Elections Act, 1868, Reports relating to the Elections for the Ayr District of Burghs; and the Isle of Wight. And the same were severally read to the effect following:—

Ayr Burghs Election—Lord Neaves reported that "an application having been made by the Petitioner to withdraw the Petition, the parties were, by previous appointment, this day heard upon the application before me, and after due notice no other party having appeared proposing to be substituted as Petitioner, the Petition was held to be withdrawn, the Petitioner being found liable to pay the costs of the Respondent, in terms of the Statute: and that the withdrawal of this Petition was not the result of any corrupt arrangement between the Petitioner and Respondent."

Isle of Wight Election—Mr. Justice Grove reported "that on the fifteenth day of April 1874," a Summons came on to be heard before me in the matter of this Petition, on behalf of the Petitioner, for liberty to withdraw such Petition, and upon hearing the Attornies or Agents on both sides, and upon reading the affidavits produced before me by and on behalf of the respective parties, and upon examining the Agents for the Petitioner and Respondent respectively upon oath, I ordered that the Petitioner be at liberty to withdraw such Petition, and that he should pay to the Respondent his Costs." And that "in my opinion the withdrawal of such Petition was not the result of any corrupt arrangement, nor in consideration of the withdrawal of any other Petition."

#### LEGISLATION—RAILWAY ACCIDENTS. QUESTION.

MR. BENTINCK asked the President of the Board of Trade, Whether it is the intention of the Government to introduce, during the present Session, any legislation for the better prevention of accidents on Railways?

SIR CHARLES ADDERLEY: I expect to have soon to introduce a short Bill supplementing the Act of last year amending the Railway and Canal Traffic Act. As to any measure requiring railway companies to provide greater security against accidents, I can only repeat what my right hon. Friend the Chancellor of the Exchequer said yesterday—that the subject is engaging the best attention of the Government, and I hope shortly to be able to make a further statement upon it.

MERCHANT SHIPPING ACT—  
THE “ELLEN CONSTANCE” AND THE  
“VITTORIA.”—QUESTION.

MR. BENTINCK asked the President of the Board of Trade, Whether any Correspondence has taken place between the Government of this Country and the Spanish Government relative to the running down of the British merchant vessel “Ellen Constance” by the Spanish ironclad “Vittoria” on the coast of Spain; and, when that Correspondence, if any, will be laid on the Table of the House?

SIR CHARLES ADDERLEY: The Ministry of Marine in Madrid have ordered an inquiry into the collision between the British ship *Ellen Constance* and the Spanish iron-clad *Vittoria*, off the coast of Spain, and so have the Board of Trade, who are now awaiting the result of the Spanish inquiry. There has been some Correspondence on the subject, and there will be no objection to lay it on the Table when the inquiry is ended.

INDIA—THE BENGAL FAMINE.  
QUESTION.

MR. O'DONNELL asked the Under Secretary of State for India, Whether the Government has any objection to communicate to Parliament a Report of the proceedings of the Council of State for India during the three months ending the 31st day of December last, and thus to enable Parliament to judge of the influence exerted by the Council during that critical period of preparation against the impending calamity of the Bengal Famine?

LORD GEORGE HAMILTON in reply, said, he must remind the hon. Gentleman that all the executive and administrative business of the India Office was transacted by the Secretary of State in Council. The discussions and deliberations of the Council were secret, except when individual Members dissented from the conclusions arrived at by the majority and recorded their dissent, together with their reasons for it. But the results of the proceedings of the Secretary of State in Council were contained in the despatches and telegrams which were sent by the Secretary of State to the various Indian Governments. The

greater number of the telegrams and despatches that had passed between the Secretary of State and the Viceroy with regard to the Bengal Famine had already been presented to the House, and the remainder would shortly follow; therefore, even if the proposal of the hon. Member were practicable, which it was not, he would object to it on the ground that it would result merely in the transmission to the House, in a clumsy shape, of information which it already possessed.

MERCHANT SHIPPING ACT—STRAND-  
ING OF THE “KRON PRINZ.”  
QUESTION.

MR. WAIT asked the President of the Board of Trade, If his attention has been directed to the stranding in the River Avon, on the 1st instant, of the screw steamer “Kron Prinz;” and, whether it is the intention of his department to institute an inquiry into the causes of such disaster?

SIR CHARLES ADDERLEY: The casualty to the *Kron Prinz* happened in the River Avon, while the ship was in tow. She went up with too little water, struck the bottom, and keeled over as the tide ebbed. There is, therefore, no intention to hold an official inquiry into the loss of or casualty to this ship, as no question of seaworthiness arises, and the matter is purely one for the harbour authorities and the shipowner. It being a foreign ship, moreover, the Board of Trade would have no power to deal with the master, officers, or owners, even if they were to order an inquiry in such a case.

LEGISLATION—REGISTRATION OF  
BIRTHS AND DEATHS.  
QUESTION.

DR. LYON PLAYFAIR asked the President of the Local Government Board, Whether he intends to introduce this year a Bill for the Compulsory Registration of Births and for the better verification of the causes of Deaths?

MR. SCLATER - BOOTH, in reply, said, he intended doing so, and he hoped to introduce the Bill on Thursday next.

IRELAND—PUBLIC WORKS LOAN COMMISSIONERS—LOANS TO LOCAL AUTHORITIES.—QUESTION.

MR. POWER asked Mr. Chancellor of the Exchequer, Whether the Public Works Loan Commissioners are prepared to grant money to Local Authorities in Ireland for sanitary purposes, the object being approved, at the same rate of interest as granted to England at the same time, and subject to the same period for the repayment of such loans?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he did not know the nature of the advances to which the hon. Gentleman referred. He, however, wished to point out that the Public Health Act, to which the question seemed to refer, and under which advances were made at a lower rate than that at which the Public Works Loan Commissioners could usually lend money, was confined to England, and therefore that it was not in the power of the Commissioners to make advances under that Act to local authorities in Ireland. It was intended, however, to introduce a corresponding Bill for Ireland, and the hon. Gentleman would then see what provisions were proposed on the subject.

THE ASHANTEE WAR—HONOURS TO OFFICERS.—QUESTION.

CAPTAIN PRICE asked the First Lord of the Admiralty, Whether, with reference to honours distributed to Officers of the Naval and Military services who were engaged in the late Ashantee War, Lieutenants Royal Navy, when gazetted in Despatches for distinguished conduct in the war, are on promotion to higher rank eligible for the honour of C.B.; and, if not, if he would explain to the House why they are excluded from a privilege accorded to Medical Officers Royal Navy, and to Military Officers holding the same or junior rank?

MR. HUNT: Sir, by the statutes in force relating to the Order of the Bath lieutenants of the Royal Navy are not eligible for the honour of C.B. When promoted to the rank of commander they become eligible. Great consideration was given by the Admiralty to the claims of all officers serving on the Gold Coast, and the recommendations to Her Majesty were made according to the best judgment that they were able to form.

Because, however, no officer of the rank referred to by the hon. Member was selected for the distinction, it would seem hardly proper to say that the class was "excluded from the privilege," in the terms intimated in the Question.

LEGISLATION.—ACCIDENTS TO RAILWAY SERVANTS.—QUESTION.

MR. BASS inquired, Whether the President of the Board of Trade has any intention of providing compensation for Railway Servants, in respect of injuries produced by want of care or improvidence on the part of their employers?

SIR CHARLES ADDERLEY, in reply, said, that the subject was under consideration, but that at present no measure was prepared upon it.

SUEZ CANAL—SUSPENSION OF NAVIGATION.—QUESTION.

SIR GEORGE JENKINSON asked the First Lord of the Treasury, Whether any information has reached Her Majesty's Government with reference to the reported telegram from Constantinople, in which it is stated—

"That several Embassies have received advices from Alexandria that Mons. Lesseps has informed the Khedive that, being unable to work the Suez Canal under the conditions imposed by the Suez Canal Commission, he would dismiss the pilots, extinguish the lighthouses, and thus virtually close the Canal;"

and, whether Her Majesty's Government have considered this contingency in connection with the establishment of an alternative route to India, as recognized by the Report of the Select Committee on this subject last Session?

MR. DISRAELI: Sir, there have been of late frequent communications respecting the affairs of the Suez Canal, and it is quite, as my hon. Friend has just mentioned, true that among several telegrams which have been received, there is one announcing that M. Lesseps had informed the Khedive that, being unable to work the Canal under the conditions imposed by the Commission, he would dismiss the pilots, extinguish the lights, and thus virtually close the Canal. The Porte, however, has instructed the Khedive to insist on the complete fulfilment of those conditions; and knowing M. Lesseps myself, knowing also that he is a man of sense, I have for my own part very little fear that he will not yield to the circumstances of the case. We

have to-day heard from Paris that the French Government have made very strong representations to M. Lesseps, over whom they naturally exercise great influence, and have suggested to him that he should at once comply with the tariff fixed by the Commission, reserving his objections for future consideration, and, of course, that he should not resort to the violent proceedings which he had threatened to take. I look upon the telegram respecting the intentions of M. Lesseps as representing what may be regarded as a momentary irritation on his part, and therefore I would hope the determination it reports need not be viewed in the serious light in which my hon. Friend seems inclined to take it. With regard to the second part of the Question, as to whether Her Majesty's Government have considered this matter in connection with the establishment of an alternative route to India, I have only to say that if that subject comes before the House in a formal manner, I shall endeavour to give the views of Government upon it, but I do not think it would be either desirable or convenient to attempt to deal with it when put in the shape of a simple Question.

**ARMY—PURCHASE OFFICERS' COMMISSION—THE REPORT.—QUESTION.**

MR. GODDARD asked the First Lord of the Admiralty, Whether he can inform the House when the Report of the Purchase Officers' Commission will be laid on the Table?

MR. HUNT: Sir, the Report of the Royal Commission will probably be presented to Her Majesty by the end of this month or early next month. After such presentation no time will be lost in laying it on the Table of the House.

**PATENT MUSEUM.—QUESTION.**

MAJOR BEAUMONT asked the Secretary to the Treasury, If the Government has had its attention drawn to the fact that more than eighty thousand pounds a-year are derived from surplus Patent Fees, while the Patent Museum affords totally inadequate accommodation to the unrivalled collection of machinery and models now exhibited there; and, whether he can hold out any hopes that suitable premises will be provided?

MR. W. H. SMITH, in reply, said, the Government was aware of the facts men-

tioned by the hon. and gallant Gentleman, that more than £80,000 a-year was derived from surplus patent fees, and that the accommodation was not altogether satisfactory in the Patent Museum. The subject was under the consideration of Her Majesty's Government.

**IRELAND—LEGISLATION—THE FRANCHISE.—QUESTION.**

MR. MELDON asked the Chief Secretary for Ireland, Is it the intention of the Government to introduce a Bill to facilitate the registration in Ireland of persons entitled to the franchise, and to prevent the making of frivolous objections?

SIR MICHAEL HICKS-BEACH: The hon. Member himself has given Notice of his intention to introduce a Bill for the purposes to which he refers, and, as the question has not yet been considered by the Government, and is full of difficulty, I should like, on the part of the Government, to have an opportunity of making myself acquainted with the provisions of the Bill so to be introduced by the hon. Member, on a subject to which he has devoted so much attention, before deciding whether I myself will bring in a Bill on the subject.

**IRELAND—MARRIED WOMEN'S PROPERTY ACT, 1870.—QUESTION.**

MR. MELDON asked the Chief Secretary for Ireland, Whether it is the intention of the Government to introduce a Bill this Session applicable to Ireland for the amendment of the Married Women's Property Act, 1870?

SIR MICHAEL HICKS-BEACH, in reply, said, the hon. Member who had charge of the Bill of this Session to amend the Married Women's Property Act, 1870—which he believed had passed the second reading—had for some reason, of which he (Sir Michael Hicks-Beach) was not aware, introduced a clause providing that it should not apply to Ireland. If the hon. Member for Kildare would propose in Committee to omit that provision, he knew no reason why the Committee should not assent to that proposal.

SIR FRANCIS GOLDSMID said, that the word "Ireland" in the Bill was a misprint for "Scotland."



LICENSING LAWS AMENDMENT BILL.  
QUESTION.

SIR WILFRID LAWSON asked the Secretary of State for the Home Department, Whether he is able to name the day on which he proposes to introduce the Government Bill for amending the Licensing Laws?

MR. ASSHETON CROSS, in reply, said, he hoped to be able to bring in the Bill on Monday week.

ADEN—RELATIONS WITH THE ARAB  
TRIBES.—QUESTION.

MR. BOURKE, in reply to an hon. Member, said, several communications had reached Her Majesty's Government with regard to the tribes near Aden. The Turkish Ambassador had informed his noble Friend the Secretary of State for Foreign Affairs that the son of the Aliwee Sheikh was released. The Resident at Aden had been instructed to report how the affairs of the tribes in the neighbourhood of Aden now stood.

WAYS AND MEANS—

THE SUGAR DUTIES.—QUESTION.

MR. GRIEVE asked the Chancellor of the Exchequer, Whether he had any objection to alter the day for the abolition of the Sugar Duties from the 21st of May to the 21st of June?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I named a day, of which I spoke yesterday, for reducing or abolishing the duties on raw and refined sugar respectively; but of course, without having had an opportunity of any communication with the gentlemen connected with the trade. I have to-day received a communication from the Chairman of the Sugar Refiners, and I have promised that I will consider the subject. I shall be prepared on Monday to give an answer, if the hon. Gentleman will repeat his Question.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

FAMILIES OF CIVIL SERVANTS OF  
THE CROWN.—OBSERVATIONS.

MR. BAILLIE COCHRANE, in rising, to call the attention of the House to the circumstance that there is no power to grant any pensions to the widows and families of those civil servants of the Crown who die while in the performance of their duties, whatever may have been the duration of their public service, and more especially with reference to the Foreign and Colonial Services; and to move—

"That, in the opinion of this House, the alleged grievances of the widows and orphans of those civil servants of the Crown who die in the service of the Country are worthy of the consideration of Her Majesty's Government,"

said, he believed that was the only country in Europe in which no provision was made for the widows and children of men who died in the service of the Crown in the performance of their duties. In contra-distinction to that practice, there was a provision for widows and for orphan children in France, in Austria, and in Prussia. The necessity of what he asked for, was shown by the fact that Mr. Farr, of the Registrar General's department, stated in 1856, that there were then living about 2,300 widows of deceased Civil Servants, and an unknown number of fatherless children. Beyond that there was the further consideration that the children of persons of property were naturally provided for, and the children of those whose income was derived from their industry generally enjoyed the same privilege, while the source of income depending on the Civil Servant's life, the children were liable at any time to be thrown on the community, which was in the highest degree pernicious. There were many cases of gentlemen who had died after considerable service in public departments, in which applications had been made to the Treasury for pensions for the families; but those applications had been invariably refused, the answer being that there was no fund in existence out of which such pensions could be granted. He would instance some of these cases. Mr. Keith E. Abbott, who had been 35 years in the service of the Crown—for 27 years in Persia, and afterwards for five years as Consul General at Odessa—died in 1872, leaving a widow and eight children entirely unprovided for; but he



believed nothing had been done for that family. Mr. Erskine, senior clerk of the Accountant General's department, served for 35 years. He died in 1872, after a brief illness, caused by overwork. The application of the Admiralty to the Treasury for an allowance to the widow and a large number of children—who, he believed, were left unprovided for—was immediately rejected. He had for 17 years paid his contribution to the Superannuation Fund, but, notwithstanding that, nothing was done for the widow and children. In the case of Governor Keate, who, after having been 30 years in the employment of the Government, was sent out to the Coast of Africa, and died within seven days, no provision had been made for his family. Then there was the case of Mr. Tomline, who was a clerk at Devonport Dockyard for 25 years. He died after six weeks' illness, caused by overwork, and not a single sixpence was given to his wife or family. Many years ago it was the custom to make some allowance in these cases; but in 1829 an alteration was made, and members of the Civil Service had to contribute out of their salaries towards a superannuation fund. Salaries under £100 paid 2½ per cent, and salaries above that sum 5 per cent, and the former system was entirely abolished. Perhaps the House would allow him to give the opinion of the late Sir Robert Peel, who, on being examined before the Select Committee of 1856, said—

“It was some time ago the practice in the Civil Service of this country to allot pensions to the widows and female relatives of public servants who died in the discharge of their public duties; but that practice, speaking generally, had for some time passed into desuetude. In the whole range of the Revenue Service of this country, no pensions were allotted to the widows or female relatives of public officers who died in the discharge of their duty; in the case of clerks in public offices, men who performed the greatest service to the country, and who died in the public service, after continuing in it 30, 40, or 50 years, Parliament had allotted no means of making provisions for their widows or female relatives. In the Army and Navy pensions were given in many instances; in the Civil Service men were cut off in the prime of life, and no means existed of making provisions.”

THE CHANCELLOR OF THE EXCHEQUER pointed out that Sir Robert Peel died before the year 1856.

MR. BAILLIE-COCHRANE explained that the extract he had just read was from a letter of Sir Robert Peel, which was submitted to the Committee

of 1856. The French law enacted, in Section 3 of the Act of 1853, that—

“The considerations of justice and public utility which have regulated the pensions in the State Establishment are not less important in all Establishments, and this rule should be applied to the Departments and Communes as well as to the State itself; the Government, therefore, invites the Departments and Communes to set aside funds for the families of the Civil Servants.”

The House would feel, he hoped, that there were strong reasons why he should ask attention to the subject, for it must be well aware that the cost of living had greatly increased of late years, and that consequently Civil Servants were unable to make provision out of their salaries for their wives and families. That was more than ever the case at the present time, when, although everything was doubled in price, their pay remained the same, and he thought, therefore, that the country could not do better, seeing that it was in so prosperous a condition, than to set aside a sufficient sum to meet these cases. There were no more meritorious class of men than the Civil Servants of the Crown, and he believed their case ought to be fairly considered; he therefore left the matter in the hands of the Government in the hope that they would give their attention to the subject.

THE CHANCELLOR OF THE EXCHEQUER: Sir, the question to which my hon. Friend the Member for the Isle of Wight (Mr. Baillie Cochrane) has directed the attention of the House is one of great interest, and everybody must feel that the motives which induce him to bring it forward are of an excellent character. At the same time, it leads us into very extensive questions, because a proposal to provide pensions for the widows and families of all Civil Servants who may die in the service of the Crown is a proposal either very considerably to increase the remuneration which the Civil Servants now receive, or else it is a proposal to modify and alter the terms upon which they receive their remuneration. Of course, it is clear that if you give a man a certain salary, and attach to it a grant of a superannuation pension, you are doing something more for him than if you gave him a simple salary only as long as he is employed, and told him he must make provision for his own superannuation. Again, if you say “We will give a pension to your wife and family after your death” you are materially in-

*Mr. Baillie Cochrane*

creasing his remuneration. It would seem at first sight to be far the simplest manner of remunerating our officers to pay them for the time they actually devote to the public service, and to let them make provision for themselves in their old age and for their wives and families; but for reasons which I hold to be sound and good reasons, that is not the system which is adopted in this country. Instead of giving a man a certain amount of pay for the time during which he serves the country, and then sending him adrift when he is no longer able to serve, we provide that he shall be entitled, after a certain term of service, to a certain pension for his life. That is a matter which has been repeatedly considered by Parliament in various forms. For instance, there was the Select Committee to which my hon. Friend refers. I then only recently had the honour of a seat in this House, but I was a Member of that Committee, and I remember some of the proceedings before it. I do not, however, remember the quotation he refers to as having been made from the opinions of the late Sir Robert Peel, though I have no doubt the quotation is a correct one. At the same time, I should hardly like to say what amount of authority that opinion would bear with reference to the question in the form in which it is now submitted to us; for one would like to see under what circumstances Sir Robert Peel delivered the opinion which has been quoted. I would remind my hon. Friend that besides that Committee which sat in 1856, there was appointed a Royal Commission, also in 1856, to inquire into the whole subject of superannuations. The Commissioners presented a Report in which they went very carefully into the subject, and they decidedly recommended the continuance of the system of superannuation to Civil Servants, and they at the same time made some remarks upon the point to which my hon. Friend has drawn our attention. But before I state what those remarks were, let me state that the Civil Servants of the Crown then received, as they now do, superannuation allowances after a certain number of years' service, but not over and above the nominal salaries attached to their appointments. The nominal salaries attached to their appointments, however, were at that time, subject to a reduction of a certain percentage, which was supposed to be carried to

a fund out of which their subsequent superannuation allowances were supposed to be provided. At the time when the Royal Commission sat, that system was in operation. That being so, and the Royal Commissioners having given it as their opinion that it was desirable to maintain the system of superannuation allowances on three grounds, they proceeded to consider how far those three grounds could apply to the case of pensions to widows and families. The first ground was, that it must be recollected that incapacity caused by illness or other infirmity cannot be provided against by means of insurance, and that it was important that a Civil Servant should be set at ease in his mind as to his position in case his health unexpectedly broke down. The second ground was, that supposing an assiduous and devoted public servant who had spent the best part of his life in the service of the State became suddenly incapacitated, public opinion would not allow such a man to starve. The third ground was, that in many cases the hardship of removing a public servant, if no provision were made for him, might lead to men being retained in the public service when they were no longer fit for it. Then the Commissioners go on to say, that in some countries the provision which is made by the State for its servants has been carried still further, and has included widows and children. The Commissioners proceed to say that none of the three reasons apply to this case. In the first place, widows and children can be provided for by means of insurance. Secondly, they say that the difficulty which would arise from the pressure of public opinion if Civil Servants were allowed to starve, would not apply to the family and widow as a general rule, although they admit that in certain cases there would be a pressure of public opinion. Under the system I have mentioned, the Civil Servant's superannuation was supposed to be provided out of a fund formed by the reduction of his own salary, and it is always to some extent an equitable ground of complaint, that in some cases, after contributing to this fund for a length of time, men died and their families derived no benefit from it. But that ground of complaint has been removed by the alterations soon after made. Very shortly after that Commission reported, a Motion was carried in

the House by the late Lord Mayo which dealt with the system of deductions to which I have referred, and from that time the superannuation allowance of Civil Servants has been provided out of the public funds, in addition to their salaries. Under those circumstances, the case, which did not appear to be a strong one to that Commission, is decidedly much weaker than it was then, because there is no doubt it is perfectly competent for a Civil Servant to make an assurance on his life for the benefit of his widow and family, if he have any. There is the further consideration, that if you adopt the system of giving pensions to the widows and families of your Civil Servants who may leave widows and families, and alter the scale of salaries with a view to that object, you would be doing an injustice to those who have no families, because you would have to regulate the whole scale of salaries on that system. The result would be, you would have to give smaller salaries than you would otherwise give, because you would be providing by a *post mortem* system for the families of Civil Servants who might survive them. I do not think that a good mode of making provision for Civil Servants, or that it would be acceptable to them. There are, no doubt, exceptional cases—cases in which a Civil Servant is called upon for service of peculiar danger—and then it is desirable and right that his mind should be set at ease by the assurance that if he loses his life in the performance of that peculiar service, some consideration will be shown to his widow and family. That is a case which it has been attempted to meet by a Treasury Minute, one as late as the 22nd of December last year, applying to particular classes—persons employed in the Convict Service and other departments, in which, if a Civil Servant should meet with death, either directly or indirectly, from injuries received in the discharge of his duty, power is given to the Treasury to make some allowance to his widow and children. I do not think you could carry the matter beyond that, or that you could fairly adopt the general principle of giving allowances to the widows and families of all your Civil Servants. [Mr. BAILLIE COCHRANE: Does that also apply to ill health?] It only applies to injuries received during the service. The terms of the Minute are these:—"Special

pensions in the case of severe bodily injury occasioned, without his own default, in discharge of his public duty." In the case of death from exposure to unhealthy climate no provision is made or can be made; it would introduce a great difficulty if you were to attempt it, because you would have not only to provide for the cases to which my hon. Friend has referred, but to apply the principle to all Civil Servants, to police, postmen, Customs officers, and so on, so that the proposal of my hon. Friend would both lead to a great deal of expense, a point I need not dwell upon, and would occasion dissatisfaction in the Service itself. What I think a proper system to adopt is to pay our servants fairly and liberally for the work they are called upon to do, and leave them to make their own provision for those they leave behind them.

#### ROYAL NAVAL RESERVE.

##### OBSERVATIONS.

MR. T. BRASSEY, in rising to call attention to the organization of the Royal Naval Reserve and the importance of establishing a close connection between the Royal Navy and the Mercantile Marine, said, the House need not approach the subject with any misgiving as to the great extent of the naval resources of the country. The number of seamen and seafaring persons employed on board ships entering and leaving the ports of the United Kingdom was not less than 407,000, and in that estimate he did not include the vast number of ships flying the British flag in colonial and foreign waters. He believed he was correct in saying that if we had a maritime conscription such as existed in France we should be able to muster a force of not less than 700,000 men to man our fleet. He did not think, therefore, it was necessary to submit a formal Resolution on the subject. Our available naval reserve was of enormous extent as compared with that of other nations, and it would be unreasonable to expect that the First Lord of the Admiralty, who had so recently taken office, would be prepared to declare his adhesion to any definite policy on the subject. As a means of comparison, he would quote a few figures from an interesting speech delivered last year by Commander Goodenough at the United

Service Institution. It appeared that the maritime conscription in France comprised a force of 172,000 men; but the whole of those men were not fit for active service at sea. For some years before the Franco-German War, the number serving on board the French Fleet was about 15,000, while 7,000 men were in reserve in barracks. The men of the Reserve were double the number of those in active service, and would constitute a force of 65,000 men, from 20 to 36 years of age. Commander Goode-nough also stated the strength of the Naval Reserves of the North German Empire to be 80,000 men, but only a small proportion of that total was composed of men who had actually served in the North German Navy. At the present time there were about 5,000 seamen employed, and the Reserves might be taken at 15,000 men. The United States had no Naval Reserve whatever, and the absence of such Reserve had been frequently deplored by the Secretary of the United States Navy in his Report to Congress, while, in regard to Russia, the number of ships of the Russian Navy engaged in active cruising was too limited to afford the means of highly training a large number of men as sailors, and the Mercantile Marine was comparatively insignificant. It would therefore appear, in comparing our position with that of other nations, that we required nothing but a good organization combined with that completeness which marks the preparations of other Powers, to establish effectually the security of this country from naval attacks. With regard to this subject, Sir Frederick Grey had expressed an opinion that for our war Navy we should require 84,000 officers and men. Admiral Sherard Osborn, in his recent pamphlet, had recommended approximately the same numbers; and those estimates would not seem exaggerated when we took into view the extent of our commerce and the necessity of our being able to protect our colonial possessions. There seemed, therefore, no reason from the recent changes in naval warfare for going back from the recommendations of the Royal Commission, of which Lord Cardwell was the Chairman, that we should enrol 20,000 seamen in our Naval Reserve, and establish a force of 12,000 fishermen for coast defence. It, however, had been said, that the Naval

Reserve was a Force on which they could not rely, and that our seamen were deteriorating; but that opinion was one which was not shared by those who were most competent to form an independent opinion on the subject. This was shown by the report of Sir Cooper Key who took the Naval Reserve to sea a few years since. His report of the 1,700 men of the Reserve embarked in the fleet for a month's cruise at Whitsuntide, 1869, was decidedly favourable, and it was much to be regretted such cruises were not more frequently repeated. The complaints we heard in the present day were not made now for the first time. Before the repeal of the Navigation Laws in 1849, the incompetency of the officers and the want of discipline among seamen were the theme of constant complaints among shipowners, and when assertions of that kind were made, it was desirable to know how far they were supported by facts, and accordingly the Board of Trade in 1872 sent Mr. Grey and Mr. Hamilton to the principal seaports, to inquire if the character of the Mercantile Marine had undergone any such depreciation, as was reported to have taken place; and their Report was to the effect that they had not ascertained any fact to establish such an allegation, but that on the contrary a great improvement had taken place in the condition of our seamen. Although, undoubtedly, there was a proportion of black sheep among them, the fact was that since the introduction of steamers, the best men had been attracted to the steam service, leaving an inferior class to man the sailing vessels. The inferior scale of wages in sailing vessels as compared with steamers was the cause of the difficulty in manning sailing ships. There was no general complaint among the owners of steamships. The Inman Company, as stated by Mr. Inman at a conference lately held in Liverpool, made it a rule to give no advance note, and to take only married men, if they could get them. That had proved to be an excellent rule. They never wanted men, and they had many men in the service who had been with them 15 years. Steamers in fact not only offered higher wages, but also the great boon of shorter absences from home, and the employment was, in many cases, a continuous service. In the Royal Navy, with the like object of se-



curing a superior class of seamen, it had been found necessary to introduce the continuous-service system. It might be said the profits of the trade were too small to allow of additional charges being placed upon the employers of seamen, but in that case the public must bear the charge by paying higher freights; and the improvement in the seamen would have the happy effect of diminishing the loss of life and property at sea. He believed that if all were done which might fairly be claimed on the part of the seamen, it would have a sensible effect in promoting their efficiency and elevating their moral character. The reduction in the premiums of insurance would compensate for the expenditure upon wages. Shipowners would derive no benefit from the intervention of the State in encouraging apprenticeships to the sea and subsidizing training ships so long as the wages of skilled workmen on shore remained so much higher than the wages of seamen. It was a well-known fact that at the present time a large number of seamen who had been carefully trained were serving, not as seamen, but as firemen, being induced to take that disagreeable task by the somewhat superior wages which they received in that capacity, while many left the sea altogether, because their experience as sailors had given them an aptitude for many employments on shore in which they earned better wages than they could command either in steamers or sailing vessels. Higher wages, however, were paid in our own merchant service than in any other, except, perhaps, that of the United States. Thus far, the nations which had been the builders of ships had furnished seamen to man them; and, as the United Kingdom enjoyed an undisputed pre-eminence as a shipbuilding country, we might be confident that our sailors could hold their own, if they chose, with the sailors of other nations. He desired that the question should be looked upon as a national question. It was quite clear that if there was anything in the spirit of the law prejudicial to the interests of the sailor, that state of the law should be at once considered with a view to its amendment. There was one point of considerable public importance to which he would invite the attention of the House. He referred to the practice of issuing to seamen advance notes upon

their being shipped for service on board vessels of the Mercantile Marine. That point had been repeatedly brought under the consideration of the Commission on Unseaworthy Ships, and it had been argued that the practice was a serious cause of deterioration among our seamen, and also gave rise to the loss of property in shipping. The seaman could not cash his advance note, except at a heavy discount; the money raised by the transaction was too often squandered in debauchery; in many cases not a farthing was laid out in providing an outfit of clothes for the intended voyage; and seamen were the only class of labourers who received an advance of wages before any work was done. The allotment note, on the other hand, was most advantageous to seamen and their families, and should receive all possible encouragement from shipowners. The Commission also reported that it was exceedingly desirable that sailors' boarding-houses should be licensed and under inspection, and that no such boarding-houses should be allowed in connection with beer-houses and public-houses. He hoped that the Government might feel justified in adopting the suggestion. It was further urged that we should come to some understanding with foreign Powers as to the restraint of crimping in seaports abroad, and that it might be feasible to make crimping by a British subject on a British vessel in a foreign port, penal. Might it not be possible, by Consular Convention, to insure to shipowners that agreements made by the seamen in this country should continue binding upon them in a foreign country? Shipmasters scarcely did their duty to each other in the mutual endeavour to obtain good crews. In the discharge note it was a practice to endorse the seaman in the conventional words as "very good," when he deserved a totally different character. Even in the Reserve, he believed, might be found some very bad bargains for the country, and if any such existed there should be no hesitation on the part of the responsible officers in weeding them out. The retainers were so liberal that none but efficient and well-conducted men should be allowed to remain in the Service. The expense of £12 per man was far too large to admit of inefficient men being retained, and he suggested that a different arrangement should be

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made in regard to seamen entering the Reserve for the first time. The uniform retainer was £6 for every man, irrespective of attendance at drill or proficiency in drill. By a recent regulation an addition of 1*d.* per day was given, but as the men served for only 28 days, it did not involve a large extra expenditure, or offer any great stimulus to improvement. If, however, they fixed the minimum sum at £5, with an additional scale of pay up to £6 for efficiency in drill and good conduct, a greater stimulus would be given to the men to acquire a knowledge of their duties. The expense would not be much greater than at present, but even if it were he did not think it would be grudged by the country. No doubt, recruiting for the Reserve had been checked by the increase in steamers, which, especially those in the coasting trade, were so short a time in port that the crews could not attend drill without losing their regular employment. The steamers, however, were a bad school of seamanship, but there was still an ample fleet of sailing vessels to form a nursery for the Naval Reserve. It was very much to be regretted that we had failed to keep up the Reserve to the standard recommended by the Royal Commission, or even to the number it reached only a few years ago; and even if we had to incur a certain expenditure for such a purpose, the money would be well expended. If such an expenditure led to any tangible result, the country would gladly bear it, for it was the insurance fund of the nation. The Royal Commission recommended that the Force should be composed of trained seamen, and it was to be recruited in the first instance from adults. As a temporary measure 20,000 men were to be enrolled from the merchant service; but, as regarded future supply, school ships were to be established, capable of accommodating from 100 to 200 boarders in each ship, of whom 100 were to be supported by the State. Two thousand four hundred boys would thus be supplied annually to the Mercantile Marine and the Reserve, and it was recommended that £40,000 should be voted annually for the maintenance of the ships. No Vote had ever been taken to carry into effect this recommendation, nor had any Vote been taken to supply the place of the Naval Coast Volunteers. There were at present, it was true, eleven training ships

at different ports; but, in so far as they were to be regarded as training vessels for the Reserve, all except the *Warspite* were upon a wrong principle. Seven of the training ships were intended to receive street Arabs, and, under the Industrial Schools Act, they had received a total subsidy of £11,870. These ships could accommodate 1,900 boys, and the actual number on board was 1,250. There were also three reformatory ships; they could take 750 boys, the actual number being 647. They had received £8,906. The Government, however, having only subsidized industrial schools or reformatories afloat, had done nothing to help poor but respectable parents to train their sons for the sea; and he would therefore suggest that, as an experiment, they should take over one of the ships stationed in the Thames and one in the Mersey; that the boys should be of the same class as those admitted into the training ships of the Navy; and that the expense of the ships taken over should be met by a contribution in equal thirds from a special Vote to be taken, as for educational purposes, by a contribution from the Mercantile Marine Fund, and by another from the Admiralty, out of the Vote taken for their general training establishment. The contribution from the Admiralty should be payable only on the completion of the training and upon the boy's qualifications being tested by examination. It should be a further condition of the Admiralty grant that the boy should consent to serve in the Navy for one year. The cost of maintaining boys in the existing training ships was on an average £20; but assuming that the instruction was made more perfect than at present, it would probably be safe to take the expenditure at £30 a-head. In each of the ships in the Thames and the Mersey there should be accommodation for 250 boys. He ventured to insist strongly on the importance of passing through the Navy, boys intended for the Reserve, because it was quite certain that mere drill without discipline would not prepare a young seaman for naval duties. It might be urged that the crews of our men-of-war were already composed in such large proportion of boys and ordinary seamen that it would be impossible to pass any additional number of boys through the Navy; but the problem might be solved by commissioning such a ship as the

*Ariadne* specially for the purpose of training the ordinary seamen passing through the Navy into the Reserve. He had omitted to mention that he would make the age of admission 16, and the period of service in the training ships two years. The duties of the officers appointed to the *Ariadne* would be arduous; but the number of lieutenants might be doubled, and devotion to the duty should be duly recognized by the Admiralty. It had been proposed by several local Marine Boards that the Government should encourage apprenticeship to the sea, by offering a premium of £10 to every boy on completing an apprenticeship of four years, on production of a certificate of character, and passing an examination in seamanship. He did not see why the suggestion should not be adopted, provided it was stipulated that all apprentices receiving premiums should serve a year in the Navy as ordinaries, receiving a further gratuity of £10 on leaving the Navy and passing into the Reserve. If they remained in the Reserve until 50 years of age, they should be entitled to the same pensions as seamen in the Navy. If a full Reserve could be formed from the boys thus trained, the necessity for the Reserve paid by annual retainers would, as Mr. W. S. Lindsay had pointed out, no longer exist. He need not again enlarge on the importance of forming a Reserve for coast defence among our 150,000 fishermen. It would be worth while to commission a few more gunboats, to be employed in visiting the fishing stations in the slack season of the fisheries, thus affording the fishermen the opportunity of learning their gun-drill without travelling to an impossible distance from their homes, and avoiding the necessity of keeping up several permanent drill batteries on shore, where there was often a most scanty attendance. The employment of a few gunboats on that service would be useful, if only to increase the opportunities—so rare at present in the experience of naval officers—of becoming acquainted with our coasts. Further, no more honorary commissions in the Naval Reserve should be given, except to owners of yachts who succeeded in persuading all their men to join the Reserve. The white ensign might be used by any owner who could bring 50 men, *bond fide* yachtsmen, into the Reserve, and the privilege

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should cease unless substitutes were found for any men in the original batch of 50 who withdrew from the Reserve. Cadetships in the Naval Reserve had been given to young gentlemen from the *Conway* and *Worcester*, and that should be followed up by giving them a short course on board the *Excellent*. Officers of the Volunteers were invited to go to Aldershot, and for the same reason, no more commissions should be given in the Naval Reserve except to officers of the Mercantile Marine who had duly qualified. The value of the Naval University at Greenwich would be immensely increased as a national institution, when the officers of the merchant service were allowed to participate in all the advantages it afforded. Lastly, he urged the appointment to the Reserve, at an early date, of a competent Staff of officers with an Admiral at their head. Until a recent date the Controller of the Coast Guard devoted a portion of his time to the Reserves; but there was work for a considerable staff of officers, if the duty of increasing the numbers and efficiency of the force was to be properly done. Without an officer of high rank and considerable influence at the head of the Reserve, its requirements would never be duly represented to the Admiralty. But they wanted not only an Admiral at the head, but at all the great ports a local representative of the Navy, who, by constant residence, would acquire influence over the seafaring population, who would induce them to join the Reserve and personally superintend their drills. In conclusion, the hon. Member said he had only to thank the House for the patience with which it had listened to him.

LORD ESLINGTON said, he was glad that his hon. Friend, than whom no man was more fit for the task, had directed the attention of the House to that subject. The question of the Naval Reserve had been neglected or deliberately set aside by the late Government, as was shown by the Vote for it diminishing for several years past. He was also fortified in that assertion from the circumstance that the right hon. Gentleman the late First Lord of the Admiralty, speaking publicly somewhere last winter, said that—

“the defence of our shores is only a remote and unlikely duty for the Fleet to be called upon to perform. We should expect them to be

on the coast of any enemy who might attack us, and for this reason our Admiralty authorities have always been less anxious to spend money on defensive armaments than on the construction of ships, which might on every ocean and in every quarter of the globe assert our moral supremacy."

That was a very important and also a very candid and straightforward statement, but he ventured to dissent from it. He thought that 40,000 able trained seamen were, as a weapon of defence for this country, infinitely more valuable than six, eight, or ten unseaworthy iron-clads. In the face of the right hon. Gentleman's statement, he said that that great question had been "shunted" to let a very heavy train come up. Therefore it was very desirable to press upon a new Ministry and a new Parliament, the present state of our Naval Reserves. During the discussions on the Navy Estimates last year the late First Lord told them that the seamen and marines for whom they were then providing were sufficient at any moment to man the sea-going fleet. He was glad to hear that. He believed they had a noble body of trained seamen at the disposal of the Admiralty. And why were they efficient? Because they had been trained from early youth to their profession, and the system of training boys for the Navy was admirable. The number of ships in commission last year was 226, one-half of which they might put down as, strictly speaking, ships of war, from iron-clads to unarmoured cruisers, gunboats, &c., and the rest were transports, store-ships, troop-ships, and other vessels engaged in miscellaneous services. On Monday next they would be asked to vote 47,000 men, blue-jackets, marines, and others. Consequently, according to the statement of the late First Lord, that number was sufficient for the purposes of the sea-going fleet.

MR. GOSCHEN explained that his statement was that the seamen and marines were sufficient to man not only the ships in commission, but the ships which would be put in commission, there being ships of the Reserve which would be put in commission within a reasonable time.

LORD ESLINGTON presumed that if the ships in commission were doubled, the number of the Reserve would be approximately arrived at, and that half

of them were ships of war and the other half transports, &c. Now, what was to be voted in the shape of Reserve men, and what were the means of manning at any moment a War fleet? The Coast-guard had fallen to 4,300 men, though the Manning Commission recommended a strength of 12,000; about 12,000 merchant seamen were enrolled as a Naval Reserve, but it was a question whether we could at any moment lay our hands upon anything like that number; £1,000 was to be voted for the Pensioners, and it was taking a sanguine view to say there were 1,000 Pensioners available for a Reserve; and finally, there were possibly about 700 men enrolled in the newly-created Royal Naval Artillery Volunteers, in which his hon. Friend (Mr. Brassey) had taken so prominent a part. There were thus somewhere under 18,000 Reserve men at our disposal. Were these sufficient even to man the Reserve of the fleet, and convert it at any moment into a War fleet? [MR. GOSCHEN: Yes.] Then it was the minimum number, but there was a question beyond the bare requirements of the Fleet. This country was becoming more and more dependent every year not only for the supplies for our manufactures, but also for the food of the people, upon the produce of foreign nations, and he wanted to know what means we had at our disposal for the protection of that trade. He was not going to say anything in favour of the old Navigation Laws; but what were the spirit and object of those laws? They were to encourage the growth of ships and seamen for the defence of the State. Those laws were held to be obstructive to trade, however, and were swept away, and our commerce had grown in an immeasurable degree in consequence; but in precise proportion to the growth of our commerce ought to be our means of defending that commerce. What were those means? He believed they were *nil*, so far as any effort had hitherto been made on the part of the State to develop them. There was a larger amount of property, floating on any given day upon the sea, belonging to the British nation than to the whole of the Continental States of Europe put together. Our weak point was our property at sea. That would be the quarter which would be attacked in the event of war, and we

ought to be prepared at any moment to defend that amount of property in ships and goods. Looking at the Naval Reserve from that point of view, he repeated that in his opinion the means of protection which they furnished for our trade by sea were practically *nil*. Let us put our House in order therefore in a time of peace and see—for it was more a matter of organization than of expense—whether we could not improve our position by organizing properly the means at our disposal. The Manning Commission—in which Lord Cardwell took a deep interest, that noble Lord having been an active member of it—recommended a Reserve Force of 60,000 men, involving an addition to the Navy Estimates of something under £600,000, this including 12,000 Coastguard men and 20,000 adult merchant seamen at first. That seemed a large sum; but practically it was only equivalent to the cost of about two second-class iron-clads. Little, however, had been since done in order to give effect to the recommendations of that Commission. In fact, it was the contrary, and although he believed that the 4,300 Coastguard men had been carefully weeded and were reliable seamen, yet there ought to be besides these a body of well-trained able seamen, on whom we might rely at any moment; not men who carried false “A.B.” certificates in their pockets, though they were the reverse of A.B.’s, but real sailors and men trained in the use of heavy artillery and competent to handle the cutlass or the carbine. The Commission, therefore, intended the present Naval Reserve for a temporary expedient, wishing to stimulate, by a Vote of £40,000 a-year to school ships in our chief ports the training of boys, for the merchant service, and to render them available for the Royal Navy in emergencies, but nothing had been done to carry out that, their chief, recommendation. Industrial and reformatory ships were certainly aided by the Home Office, but he was sorry not a penny had been given to assist in the training of the children of honest parents. The *Warspite* and the *Chichester* had turned out admirably trained boys; but many of those belonging to the latter were disqualified for the Royal Navy by a ridiculous Admiralty Regulation, requiring them to produce cer-

*Lord Eslington*

tificates of birth, which, being children of destitute parents, they could not do. He could not help thinking that a most absurd piece of red-tapeism. The *Warspite* had trained, since its establishment in the last century, 50,000 or 60,000 boys, but captains hesitated to take them because they had never been to sea. If they had a cruise now and then, they would get their sea legs. For his part, he should like to see a *Warspite* in all the principal ports of the United Kingdom. His complaint against the Admiralty was, that they had not taken counsel with private shipowners. Had they done so, he could not but think that they would have received their valuable advice. Private owners felt the want of able seamen so much that he was sure they would be glad to meet the Government upon fair terms in regard to this matter of training seamen. Moreover, if the State aided the training ships which the Royal Commission recommended, they could claim in return for the assistance to the early training of the boys the right of availing themselves of their services as Reserve men in case of emergency. He did not, at this early period after their accession to office, urge the Government for an answer at that moment. It would not be reasonable to do so, for they must have time to give their mind to the solution of the matter; but the question was a thoroughly national one, and he trusted Her Majesty’s Government was alive to the importance of having a real and reliable Naval Reserve.

MR. GOSCHEN said, he was as glad as the noble Lord who had just sat down that his hon. Friend the Member for Hastings (Mr. T. Brassey) had taken an early opportunity of bringing the subject of the Naval Reserve of this country under the consideration of the new House of Commons, and he trusted that the new House would look with favour on that most important Force, and that when hon. Members brought the subject forward with the industry, accuracy, and talent of the hon. Member for Hastings, the House would always receive them with the attention they deserved. The noble Lord who had just sat down had charged him (Mr. Goschen) with intentional neglect of the Reserve Forces of the Navy.

LORD ESLINGTON said, he had not spoken in an offensive spirit at all. He



had quoted the right hon. Gentleman's own words.

MR. GOSCHEN, in continuation, said, the noble Lord had not only quoted his words, but had put a gloss upon them which he ventured to say, without desiring to use an offensive expression, and confining himself to Parliamentary language, differed entirely from their real meaning, and was calculated to convey a totally false impression of what he (Mr. Goschen) had said. He thought that the noble Lord could not be perfectly serious when he charged him with neglecting the Reserve Force, or that he had not done him the honour to listen to his remarks on previous occasions, when he (Mr. Goschen) not only expressed the interest he took in the matter, but proposed schemes to the House for increasing that Force. He had drawn up regulations with respect to these Reserves, and in the last year the Royal Naval Reserve, so far from falling off, had been increased by 2,000 men. It was scarcely fair, therefore, of the noble Lord to put such a construction on what he had said. The noble Lord had quoted two circumstances in favour of the construction which he put upon his views. The one was the reduction of the annual Vote, and the other certain words he (Mr. Goschen) had used with regard to the defensive measures adopted by this country. With regard to the latter, he would state to the House and the noble Lord what his feeling was. What he had said in effect was that naval authorities had been more anxious with regard to the offensive powers of this country than with regard to defensive measures, and if he was not much mistaken he first gave expression to these views—which he distinctly avowed—when referring to the anxiety which was manifested on the subject of coast defence as compared with that of sea-going ships, for during late years the amount of public attention which had been concentrated upon defending harbours in England was, he thought, somewhat unworthy of a great maritime nation. What he meant to express was this—that for a country claiming to be supreme on every sea, to be always speaking of and confining its attention to defensive measures was a thing which could not be generally approved. Further, what he was speaking of was not with regard to Naval Reserves as com-

pared with ships, but with regard to the view the public seemed to take on this question. Then with regard to the Estimates, he deplored as much as any man in the House could, the fact that the numbers of the Naval Reserve had not for several years come up to their expectations. Two years ago he stated to the House the measures which had been taken to increase the numbers of the force. Last year it was found that the Reserve was not yet efficient, and he undertook to revise, and did revise, the then existing Regulations. The result, he was happy to say, was, that the Naval Reserve had been increased by 2,000 men, for when his hon. Friend brought this question before the House last year the numbers were a little under 12,000, and they were now a little under 14,000. That was a gratifying circumstance in itself, and was a proof that neither he nor his naval Colleagues had neglected the important subject under consideration. He also fervently joined in the wish which had been expressed, that the present Government would give the attention it deserved to this important Force, and that they would do as he had done, namely, from month to month watch its numbers with the greatest anxiety with the view to see what further measures were required for increasing its efficiency. The difficulty which had always been felt in obtaining men for the Reserve was less the pay and the pension—because it was generally agreed that these were adequate—than the objections the men felt to tying themselves to 28 days' drill in the year, as they were afraid that doing so would interfere with their other engagements. The limitation to certain places at certain times had been found to work inconveniently; and measures had been adopted for dividing the drill, so that the men would not be called upon for so many days at the same time, and also for making the places of drill as far as possible suitable to them. They had further especially endeavoured to maintain the efficiency of the First-class Reserve, even, as he was ready to admit, at the expense of numbers, by weeding it and keeping the standard as high as possible, so that they should not have a Force which looked well upon paper, but upon which they could not rely. An opportunity, however, was afforded to men of the Second Class who served well to obtain promotion into the



First Class. With reference to the penny a-day given to those who had done well, it was given and valued as a mark of distinction, and not as a pecuniary reward. While differing from the views expressed by the noble Lord as to the efficiency of the Reserve, this he said distinctly—that he would cordially welcome any measure which would extend the Reserve, and he quite agreed with the noble Lord that it was more a question of organization than of cost. He had alluded to the disinclination which sailors entertained to tying themselves to certain days and places, and he should add that shipowners were also disinclined to engage men who were liable to be called out in the Naval Reserve. The noble Lord said that counsel had not been taken with shipowners, but in that, too, he was mistaken. They had consulted shipowners. The Board of Trade had examined most carefully into the disposition of the shipowners to accede to some regulations by which the supply of seamen might be at once increased, and additional men at the same time enrolled in the Reserve. There was, however, great difficulty found in making a regulation by which the Mercantile or any other Fund could be spent upon training-ships in connection with the Navy. One of the difficulties experienced was this—that if there were two young sailors, one of whom was free and the other liable to be called out as a Reserve man, the shipowner would naturally select the sailor who was free. These difficulties existed, and it was fair and right that they should be candidly stated. It would certainly be most desirable if shipowners could be induced by some means or other to engage men who were engaged in the Naval Reserve. He could not at first sight concur in the suggestion of his hon. Friend the Member for Hastings as to the expediency of having the men drilled once for all. He thought all naval authorities would agree with him that it was desirable the men should be drilled from time to time. Changes occurred in the navigation of ships and other matters, and though it was not absolutely necessary that the men should be drilled every year, he thought that they should be drilled periodically, whatever the interval might be. As to the numbers of the Reserve, he had no wish to under-rate in the slightest degree the importance of that

Force, but he must remark that the number of blue-jackets required for manning our ships was not so great now as it was in 1859. At that time our line-of-battle ships required 1,000 men to man them, whereas the more powerful ships of the present time only required 500 men, and in the case of the *Devastation* only 300 men. In other words, the power of each individual man had increased in proportion to the power of the ship. Therefore, 5,000 men would go much further towards manning a fleet now than they would have done in 1859. He made that statement, not with the view of discouraging the idea that our Reserves should be large, but to re-assure those who might be frightened by the statements that had been made on the subject. The noble Lord opposite had compared the 47,000 men who manned our sea-going ships with the 18,000 men in reserve, but he forgot that all but 19,000 of the former number were stokers, engineers, artificers, and bandsmen, while the 18,000 men in the Reserve were sailors, so that really there was not much difference between the number of blue-jackets in the Navy and that of the sailors in the Reserve. The men, moreover, who would be required to act as stokers, &c., were not included in the numbers of the Reserve; and he should wish the House to remember the distinction between the mere artificers of the fleet and the pure blue-jackets, who formed its fighting force. The Reserves consisted of men who had been trained at the guns, and were used to the navigation of the ships, and such men were limited in number, while there was an abundance of men who were fitted to discharge the duties of the other class. It must also be taken into consideration that we had 7,000 Marines on shore, who in time of war would form a most valuable addition to the force of our fleet, as they were all trained to the use of guns. He was aware how important it was that our Naval Reserve Force should be kept up, but at the same time he did not think that the fears that had been expressed with regard to it were in any way justified; and the comparison instituted by the hon. Member for Hastings between our naval force and those of foreign countries should not have too great weight attached to it, because it was

impossible for us to ascertain how much of their naval force consisted of real sailors, and how much of the other classes to which he had referred. It was impossible in time of peace to keep up such a force of men as we should require to man our ships in time of war, but in case of necessity, he believed that we should be able to find men as fast as we were able to provide ships for them, and that even at starting we should be able to man a very large number of ships. At the same time, he trusted that the Government would keep their eye upon this question of the Reserves, and would take into their best consideration the many important suggestions which had been made. He was afraid, however, that no course that could be followed would be successful until the shipowners themselves saw the necessity not only of taking an interest, as they had done, in our training ships, but of facing the inconvenience of having Naval Reserve men on board their ships for the sake of public advantage. The late Government had thought over the proposition of taking a certain number of boys and passing them through the Navy, but the question arose, what could be done with them afterwards? The least that could be expected from boys so trained would be that they should give the country a *quid pro quo* by consenting to serve in the Reserve and to put up with the inconvenience of drilling at certain times and seasons. He begged distinctly to state that the late Government never intentionally reduced the force of the Royal Naval Reserve, and that its reduction was owing, not to the lowering of the terms, which indeed had been improved, but to the difficulty of drilling. He, however, trusted that the increase of 2,000 in the Force which had taken place mainly during the past six months marked the beginning of a better time for it. He ought not to sit down without thanking the hon. Member for Hastings, not only for raising so interesting a discussion upon the question, and for the interest he had taken in that House in the Naval Reserves, but for the great service he had done out of the House in initiating in a great measure the Royal Naval Artillery Volunteers, which he hoped would become a large Force, which certainly would prove most useful in case of necessity. There were great difficulties to be over-

come in organizing such a Force, because for men to go to sea was much more difficult than to go to drill in Hyde Park, the personal sacrifice and inconvenience being greater, and more time being required. So great, however, had been the energy displayed by the hon. Member and others in the matter, that these difficulties had been in a large measure overcome, and it was hoped that the movement had now obtained a fair start. He therefore trusted that the right hon. Gentleman opposite would see in the Royal Naval Artillery Volunteers an important, although a small Force, and that the movement would continue to receive the assistance and attention of the Admiralty.

MR. HUNT said, he did not feel called upon to reply at length to the observations of the right hon. Gentleman opposite (Mr. Goschen), because it could scarcely be expected that he should be in a position to do so, having held office for so short a period. He might, however, venture to assure the hon. Member for Hastings (Mr. T. Brassey) and his noble Friend on his right (Lord Eslington) that the subject of our Naval Reserves was of the greatest interest to him, and that he should feel it to be his duty to devote a considerable time to the examination of the various questions which related to them. The right hon. Gentleman opposite was quite right when he said that the Naval Reserve had increased in number since he brought forward the Navy Estimates last year. In April 1873, when the hon. Member for Hastings addressed the House, the Royal Naval Reserve consisted of 11,500 men, whereas it now consisted of 13,900, showing an increase in the number of men in the force of 2,400—2,000 of that number were men who had joined the Second Class of the Reserve, and he believed about 700 of them were men who had formerly belonged to the Royal Naval Coast-guard. He could assure his noble Friend that, although it was impossible for him to take up this question at once, still he should make an effort to render our Naval Reserve system as perfect as possible. The right hon. Gentleman who had just sat down had pointed out the difficulties in which men of the Royal Naval Reserve and shipowners also found themselves in consequence of the men being obliged to drill at certain times. The great remedy for those difficulties

would, he trusted, be found in dividing the drill into as many periods as possible, but, in order fully to carry out that object, some such system would have to be adopted as that proposed by the hon. Member, under which boys should be induced to go through a certain amount of training, after which a very few drills would keep them in a state of efficiency. The suggestions made by the hon. Member were well worthy of consideration, and he could assure him that they would receive every attention at his hands.

MR. MACGREGOR said, he was surprised to hear that it was believed the shipowners of this country were averse from employing men who had engaged in the Royal Naval Reserve. As a shipowner himself, he had many such men in his employ, connected with the port of Leith, and he employed them only too willingly, and he could testify to the preference given by other shipowners to such men. He believed that if the right hon. Gentleman at the head of the Admiralty would only put himself in communication with the shipowners at the different ports, and fix various periods of drill, so as to suit the different trading seasons, he would find no difficulty in largely increasing the Reserve.

SIR JOHN HAY said, he was glad to hear that the right hon. Gentleman would take into consideration the very valuable proposal which had been made by the hon. Member for Hastings (Mr. T. Brassey). Although they would all desire to give credit to the right hon. Gentleman the Member for the City of London (Mr. Goschen) for the fact that during the last 10 months the Royal Naval Reserve had increased by more than 2,000 men, they could not lose sight of the fact that the Navy during the last five years had diminished from 69,500 to 60,000, of whom nearly 3,000 were blue-jackets. It was to be hoped that the 2,000 men who had joined the Reserve included many of those who had been discharged from the Navy. He should be glad to see the Education Department brought into closer contact with the Admiralty and the Board of Trade. If the Admiralty would establish training ships and employ officers at the different ports, and the Board of Trade encourage shipowners to employ the boys who had been trained, the ships themselves might be

used for the purposes of educating those boys, whose education devolved upon the country. The Navy could then have the first pick, and the Mercantile Marine the next, and those boys who did not go to sea at all would by the education they received be converted into respectable members of society. Nothing could be more advantageous to a naval country like this than increasing the number of training ships at our seaports, and using them as schools for education of boys for the Navy. Looking at the great deterioration of the character of our merchant seamen, the Mercantile Marine would be only too glad to employ such boys, and, he believed, sanction their afterwards becoming members of the Reserve.

CAPTAIN G. PRICE thanked the hon. Member for Hastings (Mr. T. Brassey) for the lucid explanation which he had given to the House, and cordially agreed with the object he had in view—the increase of the Naval Reserve. As an officer of some experience he wished to call the attention of the House to one point. He thought the Royal Naval Coast Volunteers, which, as had been said, were composed almost entirely of fishermen, might be advantageously merged into the Royal Naval Reserve. The naval coast defence consisted of ships of the newest type, large turret ships and a new class of gunboats; but both alike carried very heavy guns, which could only be worked by men specially trained. If, therefore, we had to man our ships at a notice of a month or six weeks it would take some months, or even a year, for any respectable number of Naval Reserve men to be made efficient enough to man these ships. In his opinion the men upon whom we should have in time of difficulty to rely for this purpose were the Coastguard, the Pensioners, and the Royal Marines—more particularly the Royal Marine Artillery. For that reason he would suggest that a greater number of marines should be kept on shore, and that the body generally should be augmented and instructed in gunnery. There was also a large number of young men in our Dockyards who were doing nothing, who might be sent to sea and made efficient in their drill. Every endeavour should be made not to make the drill of the Reserve irksome to the men, and, as they might be supposed to be fairly in-

structed in seamanship, they should be trained in gunnery, in which, on account of its novelty, they might be induced to take an interest.

MR. NORWOOD, who had a Notice on the Paper to call attention to the desirability of extending the terms of the Warrant constituting the Royal Commission on Unseaworthy Ships, so as to include the Inquiry into the character and condition of the Crews of British Merchant Ships, and into the best means for ensuring in the future a supply of efficient officers and seamen, and also the Inquiry into the constitution, procedure, and powers of Courts of Inquiry into Wrecks and Casualties, said that the subject which he wished to bring before the House was so intimately connected with the one under discussion that they might advantageously be considered together, for it was evident that upon the condition of the Mercantile Marine depended the number and quality of the Royal Naval Reserve. He regretted that he did not share the sanguine views which the hon. Member for Hastings (Mr. T. Brassey) took of the state of the Mercantile Marine, which from careful inquiry, as well as from personal experience, he believed to have greatly deteriorated of late years. The *physique*, the stature, and the health of the men were by no means so satisfactory as formerly, whilst in seamanlike qualities and in subordination there was a decided falling off. These were serious allegations to make, but he felt sure that the masters and pilots who used the three ports of Liverpool, London, and Cardiff—those ports where a promiscuous body of seamen were to be found—would confirm what he had stated. So little were many of our seamen acquainted with the duties of a seafaring life that shipmasters were frequently heard to declare that out of the crews now engaged scarcely one in three who shipped themselves as A. B.'s was really efficient when out at sea. The practice of breaking articles was also far too common. There was now a certain number of defaulters on the departure of almost every long voyage-ship, and when the master arrived at Gravesend he was obliged to get the assistance of the crimps, who made up the number anyhow, and the master went to sea with a crew anything but efficient. That was a great source of

evil, because it tended to disgust the good and honest seaman, who was compelled to do more than his just share of work, owing to the inefficiency of the men thus engaged. In a debate on the manning of the Navy in 1871, the late Mr. Graves expressed a strong conviction that there was a deterioration in the character and condition of the crews of British merchant ships, and quoted the opinion of the Liverpool Shipmasters' Association; and Sir Edward Hornby, who for some time was Judge of the Consular Court at Constantinople, and was now Chief Justice of the Supreme Court of China and Japan, in a letter addressed by him last year to Lord Shaftesbury, and communicated by his Lordship to the Board of Trade, said that though no doubt instances could be found of overloaded and badly-found ships, many of the losses which occurred were the result of incompetence, idleness, insubordination, and the habits of drunkenness in the crews. Sir Edward Hornby doubted whether the "British tar," as he was formerly known to us, was not becoming a thing of the past, and, without taking quite so serious a view of the subject, it must be admitted that the matter was well worthy of the consideration of the House. He (Mr. Norwood) had made a careful investigation, and found that we had now about 400,000 seamen, including 150,000 fishermen, who, he thought, were as good, or better, than they ever were. That was the class it was desirable to obtain for the Royal Naval Reserve, and he thought greater facilities ought to be given to the fishermen on our coasts to congregate together for the purpose of drill. There were about 150,000 grown-up sailors, about 20,000 boys, 9,500 petty officers, 21,500 engineers and firemen, 11,000 apprentices, and 38,000 certificated masters and mates. There were certainly some good sailors amongst them; but the large majority were not so efficient as they ought to be. It was a remarkable fact also that amongst our seamen there were 20,000 foreigners, implying a necessity for our employing them. The best sailors were to be found in the regular liners and steamers. Many of them were married men, who preferred employment which enabled them at certain intervals to return to port to their wives and families. The physical condition of many of



our seamen was unsatisfactory, and a report on the 31st of December, 1872, from Dr. Patteson, of the hospital at Constantinople, stated that, among other complaints, constitutional syphilis in every form was frequently found, and Mr. Henry Leach, in a recent letter to *The Times*, asserted that, owing to the bad sanitary condition of our sailors, scurvy was re-appearing among them. Another proof of the importance of the subject was that in the Civil Service Estimates of last year there was an item of £32,000 as the cost of sending home distressed English sailors from foreign ports; and in the course of the three years ending 1873 the amount paid for that purpose was upwards of £100,000. Medical men strongly recommended compulsory examination of the men on shipment, and power was given by the Mercantile Marine Act to the owners to enforce it, but that power had become a dead letter owing to the difficulty of getting respectable men on any terms, and if the medical examination were insisted on the difficulty would be increased. The consequence of no such examination being held was, that seamen were shipped who were unfit to encounter the hardships of a voyage. Much of the existing evil had been traced to the abolition of the law of compulsory apprenticeship, and to the great increase in the number of steamers, which consumed, but did not produce, good sailors. Much was said now-a-days about the want of technical knowledge on the part of our artizans and workmen, and the fact that we had to go abroad for many articles in common use because they were better designed and executed in foreign countries; but in his opinion there was no class of persons so utterly neglected and devoid of technical knowledge as the seamen of our Mercantile Marine. He confessed that his views of political economy were entirely upset by the facts connected with the question. He had thought that in this country a demand would create a supply of anything that might be wanted, but that was certainly not the case with good seamen. The fact was that an able-bodied seaman was a valuable article, not to be had every day. The only way in which a supply was to be had was by an early training to the life. Unless a lad took to a seafaring life while quite young he was never likely to become a good sailor;

*Mr. Norwood*

but at present, a large number of those who went on board did so only as a last resource, after having exhausted every means of living on shore. They scrambled through their duties in a lubberly fashion, and then described themselves as "able seamen." He had come to the conclusion arrived at by the hon. Member for Hastings (Mr. T. Brassey), that there ought to be in every large town an endeavour made to obtain youths at an early age to be trained as sailors. The shipowners would be most happy to support a movement of this kind. He would add that he did not think the Government should be called upon to bear the whole cost of such training, but they might at any rate pay a portion of it, say one-third. To carry out this idea he should wish to see training ships stationed at all our ports to be managed by a committee of shipowners and of Government officials, and lads introduced into those ships of from 14 to 15 years of age, who, after serving a couple of years would be readily taken by the owners of vessels, and the lads might be allowed to receive a reasonable amount of remuneration wholly for their own use. There would, he believed, be no difficulty found in obtaining employment for them afterwards on board merchant ships, for owners, seeing the risk to which their property was exposed, owing to the inefficiency of navigators, would be only too glad to engage trained hands. Much had been said of the causes of casualties and the loss of life and property in the Mercantile Marine, of which the shipowner had been freely accused of being the sole cause, by his carelessness, neglect, and even criminality. His (Mr. Norwood's) belief was, that there were ten times more lives lost by the incompetency of the crews and the carelessness of officers than by the *laches* of owners. In the three years 1870-72-73, there were 376 Board of Trade inquiries into losses of ships, including 423 lives, excluding collisions. The verdicts given showed there were due to defects in building, equipment, or stowage, the losses of 25 vessels and 10 lives; whilst to neglect or bad navigation on the part of the master, pilot, or crew, there were owing the losses of 231 vessels and 187 lives. Of cases attributed to the weather, ordinary sea risk, and unknown causes, there were 120 ships and 226 lives lost. Thus, the loss of life trace-



able to the condition of the ships was 2·36 per cent, whilst that traceable to negligence, or incompetency of the crews, was over 44 per cent. There had, it was true, of late years been a considerable improvement in the class of masters of ships, but there still remained very unsatisfactory men amongst them who ought not to hold certificates, and he attributed this very much to the manner in which Board of Trade inquiries were conducted. The Courts of Inquiry were to his mind unconstitutional, and the punishment awarded often either too severe for mere errors of judgment, or insufficient in cases of gross carelessness. The captain of a ship had his certificate taken from him before the inquiry commenced, he was treated as a criminal, and his mouth was closed during the proceedings; whilst, on the other hand, the seamen were taken charge of by officers of the Board of Trade, and very frequently they gave evidence which was not warranted by the facts. Their interests also were often diametrically opposed to those of the master and the owner. He should urge the expediency, therefore of entirely re-modelling those tribunals. Let the Board of Trade carefully examine into each case, and if it arrived at a deliberate conclusion that any master or officer had seriously neglected his duty, then a prosecution for misdemeanour might be ordered, and the man might be tried in the ordinary way before a Judge and jury. The present system, under which an officer's certificate was suspended for a lengthened period, was frequently productive of great hardship. As to the owner, he ought to be liable to punishment if he knowingly permitted the existence of avoidable risks to life and property. In conclusion, he thought that when the Report of the Commission on Unseaworthy Ships was published, it would probably be found that ship-owners had not been so guilty as they had been considered by well-meaning, but ignorant persons, who had been carried away by exaggerated and sensational reports.

MR. BENTINCK said, that the hon. Gentleman who had just sat down had introduced a subject of equal importance with that brought forward by the hon. Member for Hastings (Mr. T. Brassey), because there could be no doubt that the deterioration of the character of the men of the Mercantile Ma-

rine must affect the manning of the Navy. He was sorry to say he agreed in thinking that there was great deterioration in the quality of the seamen of the Mercantile Marine, and that for some years past there had been an increasing amount of misconduct and want of discipline among them; while with regard to foreign sailors, he thought they were often a better disciplined set of men than our own, and the fact that we were obliged to employ them was a proof of the present deterioration, but not, in his opinion, a cause of it. What lay at the root of the evil was, not the abolition of the system of apprentices, as stated by the hon. Gentleman the Member for Hull (Mr. Norwood), but the want of discipline in the merchant service. Things that had been said both in this House and out of it had done a great deal to loosen the bonds of discipline. An attempt had been made, no doubt with the best intentions, to persuade the country that a considerable proportion of the owners of English ships were wilfully prepared to send bad vessels to sea, for the sake of making money by their loss, and at the risk of losing the lives of the crew. That such cases had occurred was, no doubt, true; but they were very exceptional. Another cause of the want of discipline was an erroneous notion that prevailed that "Jack," as he was called, was all that was honest and simple-hearted. The fact was, that there was no set of men better able to take care of themselves—better "up" in all the tricks by which they could gain advantage over others—than the seamen of the merchant service, and many of them lived by their frauds on shipowners. A sailor who had got an advance-note would desert with the cash, and if he was caught—which very likely he would not be—his punishment—if it could be called a punishment—would probably be a month's imprisonment without hard labour, which was no punishment to these men. The result was that this practice was not merely a system, it was a trade, and there were thousands of men constantly following this avocation, and no improvement of the character of the seamen could be expected till Government took this matter in hand, and insured that those malefactors received the punishment they deserved. It seemed to him that, with regard to the suggestion

of the hon. Member for Hastings, no money could be better spent than in keeping up training ships for boys at the principal seaports. He agreed with the hon. Gentleman the Member for Hull (Mr. Norwood) in thinking that the Courts of Inquiry required, if not abolition, at least re-modelling, as at present they were composed of men who had not been to sea for 30 or 40 years, who knew nothing of modern seamanship, and who were, therefore, not competent to sit as assessors; while with regard to the masters of ships, he thought the whole system of suspending certificates was objectionable and a mistake, because hundreds of them had no certificates at all, and might go on offending as much as they liked. Some other penalty ought to be inflicted, and if an offence was committed that proved a man to be incapable of commanding a vessel, his certificate ought to be wholly taken from him. To suspend it merely was to force him to stay on shore in a distressed condition, and to enable him, when the period of suspension expired, to return to sea, when probably less qualified than before for the duties of a master. A man who undertook the responsibility of managing a merchantship, if he were convicted of an offence before a proper tribunal, ought to be subject to penalties, whether he held or not a certificate of the Board of Trade, and he hoped his right hon. Friend would recognize the great importance of rigidly inflicting penalties on the masters of merchant ships who failed to perform their duties. He believed that an alteration in that respect would do more good than anything else towards improving the condition of the Mercantile Marine. He also hoped that when they came to deal with the Navy Estimates, the remark which had fallen from the right hon. Gentleman opposite (Mr. Goschen) would not be forgotten, and that the House and the country would understand that the defence urged by the late Government for not having a larger Naval Reserve was, that if it had existed there would have been no ships for the increased Reserve to man.

MR. PALMER said, it was an undoubted fact that the seamen in our Mercantile Marine had seriously deteriorated of late years, and that great difficulty was experienced in obtaining a sufficient number of seamen for our

merchant ships. He hoped that this important question might be referred to the Royal Commission on Unseaworthy Ships, as the evidence and Report of that Commission would certainly be incomplete and unsatisfactory unless it dealt with the causes and remedy for this state of things. There were some who took a more favourable view of the condition of the Service, and it was quite possible to reconcile the different opinions on the subject, for while the seamen in the regular lines of steamers might be as efficient and as well disciplined as formerly, the men in the general Mercantile Marine had undoubtedly deteriorated. He had known ships sent to sea, whose crews, with the exception of the captain and officers, consisted entirely of foreigners, and after sailing the confusion on board was grievous; It had also been stated in evidence that only one-fifth of crews were able to steer, understood the compasses, or were competent to perform the ordinary duties of seamen; and he had been told by one captain that, having encountered bad weather shortly after sailing, the only man he could trust to take the helm was one from a training ship. Nautical science had done much for the construction of ships, and for general improvement in naval architecture, but nothing appeared to have been done towards keeping up a good supply of seamen, and giving them a better nautical education; which was the more desirable, considering the large value which was now put in one ship. The difficulty of obtaining trained seamen would increase in proportion to the displacement of sailing ships by steamers, and all parties agreed that training ships were the only means of obtaining for us trained sailors. In his opinion, there should be three classes of training ships; the first, established under the Industrial Schools Act of 1866, for taking from the streets such boys as were exposed to misery and crime, and likely to be eventually committed to prison. This class commended itself at once to public attention, and ought to be established in every port in the kingdom. A second class of ships should be instituted for training boys of the artizan and labouring classes for, say, two years after they had been educated in national or other schools. But a still higher education was required for the middle and upper classes; and

*Mr. Bentinck*

this could be supplied by establishing colleges similar to the *Worcester* and the *Conway*. There was a great opening in the Mercantile Marine for young men belonging to the upper classes, and a large number of such young men might obtain high salaries and honourable employment in the Mercantile Marine. In his opinion, a large proportion of our losses were for the most part caused by ignorance in navigation, and not by the construction or overloading of ships; and the want of this nautical science on the part of the captains and officers, and the deteriorated condition of our seamen was the limit to which the dimensions of our steamers could be extended. The improvement of our seamen, therefore, became a matter of great importance, and he trusted it would be referred to the Royal Commission now sitting.

SIR CHARLES ADDERLEY said, the tenor of the last few speeches rendered it necessary for him, as being connected with the Board of Trade, to say a few words before the debate closed. He thought the hon. Member for Hull (Mr. Norwood), who introduced what he might call the second part of the debate, exercised a wise discretion in bringing his subject forward in the discussion raised by the hon. Member for Hastings (Mr. T. Brassey), rather than separately by itself, for it was germane to the subject of that hon. Member's speech, and inadmissible as a distinct proposition. It proposed that the condition of our seamen, and procedure of our wreck Courts, ought to be referred to the Royal Commission which was now investigating the subject of Unseaworthy Ships. The fact, however, was that both the subjects had been referred to them, and were within the terms of the Royal Commissioners' Warrant. Indeed, they had taken extensive evidence on both of them, and had even expressed, to a certain extent, an opinion on both subjects in their preliminary Report which was presented to the House last Session. That circumstance rendered it difficult, and perhaps unwise, for any one to pass a decided opinion on either of those subjects as still being under the judgment of a very competent tribunal. Of course, nothing could be of more importance than the condition of the seamen in our Mercantile Marine, which was the basis of the vigour and prosperity of this great commercial

country. It was likewise the basis on which our Naval Reserve rested. Nobody could say with regard to it, that the condition of the British seaman was such as we could wish it to be, and although there existed a great difference of opinion as to the deterioration of the British seaman, yet all must agree that a great deal remained to be done in order to better his condition. If, while he (Sir Charles Adderley) was at the Board of Trade, he could do anything to promote an amelioration of his condition, there was nothing he could do that would give him greater satisfaction. The Royal Commissioners had expressed their opinion very guardedly, and had chiefly confined themselves to giving a summary of the evidence adduced before them. The general opinion of ship-owners seemed to be that there was a deterioration in the character of the British sailor. The hon. Member for Hull had supported that statement, and, as he was interested in the steam service, his opinion carried great weight, because that service had carried off the best sailors from the sailing service, and in that way apparently had produced the deterioration. The opinion of the officers of the Board of Trade was, however, rather opposed to that of the shipowners. Those officers assigned good reasons for any appearance of deterioration, and on the whole they denied that their character had deteriorated, and he (Sir Charles Adderley) could not help trusting that the official Report would be found more reliable than the opinion of the ship-owners, spreading as it did over the whole extent of the service. In their preliminary Report the Royal Commissioners cited some important suggestions made by the Liverpool Association. The first was, that every seaman should have a certificate of character, but he confessed he did not see how that proposal could possibly be carried out. A certificate of character might be given to a seaman on discharge, but how certificates could be always obtained on first engagement, it would be difficult to understand. Even certificates of character given upon discharge were not always safe, as it was notorious that there was more or less of a traffic in them. The second suggestion of the Liverpool Association was that there should be licensed lodging-houses for crews on their discharge. That was a

very important proposition, and every attempt ought to be made to carry it satisfactorily out. Sailors' homes, he believed, had not been very successful, because seamen disliked to be confined on getting ashore after a long voyage, as it were, in barracks; but anything which kept them from the horrible system of crimping, by free and well-regulated lodging houses, would be at the root of improvement of their condition. In connection with this part of the subject, the Commissioners themselves said, that if there was any deterioration in the character of the British seamen, the first object should be to withdraw them from the hands of crimps. The proposition which seemed to have taken more than any other with those who had spoken that evening was, a larger nursery of seamen trained from boyhood in training ships. That, in his judgment, was the most important proposition of all; but with regard to reformatories and industrial schools, whether ashore or afloat, it was a great misfortune that we allowed a stigma and degradation to be connected with them. If we could get rid of the stigma attaching to reformatories ashore and afloat—if criminal children after punishment were supplied with education as other children—we should find it to be of the greatest advantage, and we should then be able to draw a large supply of seamen from the neglected boys thrown for education on the State. As it was, the employment of such boys was much restricted and lost to the service. Connected with that subject was the question whether it would be possible to revive that great resource which we formerly possessed, but which had now dwindled down to such inconsiderable proportions—he meant the system of apprenticeship in the merchant service. Some means might, he hoped, be adopted which would enable us to apprentice boys taken from our training ships, not compulsorily, but by premiums, and the proposition of the hon. Member for Hastings on that subject was a most important one, though, as far as he had heard, nobody had as yet suggested a mode by which the means could be supplied. It would be to the interest not only of the merchant service, but of the State, that the thing should be done, and therefore the State might justly contribute part of the expense; parents and

friends might supply a contribution; but how to raise the remainder, which the merchant service should contribute, nobody had pointed out. He apprehended it must be done, not compulsorily, but by bonus, and the question was how the bonus was to be forthcoming. The last suggestion, which was a very important one, was that by Consular Conventions in all parts of the world we might be able to carry out effectual arrangements with a view of putting an end to crimping, and he trusted something might be done in this way. One word as to the other subject which the hon. Member for Hull had introduced—namely, Courts of Inquiry into Wrecks. He quite admitted there was much to be said against the constitution and procedure of these Courts. But it seemed to him, as it did to the Commissioners, that however unconstitutional and theoretically imperfect the procedure of these Courts might be, very little if any, injustice had accrued from them, and as a fact, those witnesses who had given the strongest evidence against the constitution of these Courts, when challenged to adduce a single instance of injustice which had resulted from their decisions, had failed to do so. It was perfectly true these Courts were open to all the theoretical objections stated by the hon. Member for Hull, for in the first instance they were meant to be inquests into the causes of wreck, and by a very natural process they had become criminal Courts; but the mixture of the two processes of inquiry and of criminal prosecution was adverse to their claims as Courts of Justice. He had no doubt, however, that one result of the labours of the Commission would be some suggestion for the separation of those two functions, so that the Court would be confined to their functions of Inquiry, and persons who might in the process of inquiry appear to have been culpable would then be prosecuted in a Court of Law. All these matters, however, were under discussion by a body whom the hon. Member must allow to be very competent both to collect evidence and to give an opinion. Under these circumstances he would abstain from pronouncing a decided opinion upon any of those important subjects; he would content himself with saying that, in his opinion, the debate introduced by the hon. Gentleman, as well as that which the hon.

*Sir Charles Adderley*



Member for Hastings had initiated, would be of use both to the Navy and the merchant service of the country.

MR. GOURLEY said, he thought it was desirable the Government should nominate a Select Committee to consider the relations of the Mercantile Marine with the Navy. The question had previously occupied the attention of the Government and of the country in consequence of the difficulty there was in obtaining good seamen to man our ships at the time of the Crimean War. Inquiry was then made both by a Royal Commission and by a Select Committee, and the Committee recommended the further consideration of the manner in which our Navy ought to be manned in times of emergency. From that time little attention had been paid to the actual necessities of the country in the event of our being engaged in another war of a similar character, and that, notwithstanding the relative positions of the Navy and Mercantile Marine were unsatisfactory to the Admiralty, to shipowners, and to seamen. For instance, in foreign ports, in case of emergency, the commander of a man-of-war could board merchant ships and remove men from them, thus jeopardizing the ships and inflicting injury on their owners. That was a matter on which shipowners would pronounce a very decided opinion in favour of an alteration of the law. If we were to utilize the immense force which existed we must endeavour to blend the two services into one harmonious whole in such a manner as to satisfy both shipowners and seamen. He questioned whether there were 700,000 available men in the Mercantile Marine; but he computed that there might be 500,000—a force quite sufficient to give the country the security it ought to possess. There must, however, be something radically wrong when there were only 13,000 men in a Reserve which ought to number at least 100,000 men. With regard to the drill for the Reserve, he thought there was too much of what might be called drawing-room drill. The Naval Reserve ought to be sent out, year by year, on board ships such as they would be engaged in if on actual service, and the men should be exercised as fighting men. When European States were organizing their land forces, England as the leading maritime Power in the world should be careful to organize

and conserve that force which must be her first line of defence, and if our Navy were efficient in ships and properly manned we should be prepared for any emergency. There were many causes for the present condition of our seamen; but he did not go so far as his hon. Friend the Member for Hull (Mr. Norwood) in thinking them so much deteriorated. In the North of England seamen were now as good as they were 50 years ago; but in the South any broken-down butcher, baker, or tailor could engage as an able seaman; but in the first gale of wind, instead of proving themselves sailors, they turned into their bunks and the ship was left in the hands of the officers and two or three seamen. If they would have good seamen they must have boys trained on the apprenticeship system; but the compulsory system of apprenticeship was abolished with the repeal of the Navigation Laws, although some shipowners were still in the habit of carrying apprentices, but they refused to do so without a premium. The Board of Trade should abolish this premium system, which was only another form of advance notes, and establish training ships in our different seaports for the Mercantile Marine. In addition to training received on board ship, the boys ought to be voyaged up and down the coast in colliers, the time so spent being counted as service at sea. That would very much improve the quality of our seamen. They must also abolish the crimping system, under which sailors on coming home from a long voyage with £10 or £20 were laid hold of and robbed under pretence of being clothed, lodged, and fed, and compelled to seek another vessel in order to obtain an advance note to free them from their difficulties. He thought also it was desirable that this country should have a Consular Convention with the United States to remedy the evils arising out of the desertions of seamen, inasmuch as we had in New York alone an annual desertion of 20,000 men. In his opinion, we must, as far as possible, inculcate habits of sobriety, by offering inducements to all seamen to locate themselves in Sailors Homes; and we must also give the men improved accommodation on board our ships.

MR. BATES said, they must all admit that the hon. Member for Hastings (Mr. T. Brassey) had treated the sub-



ject of his Motion with great success, yet there were one or two statements made by him in which he could not agree, and which should not go forth to the country uncontradicted. The hon. Gentleman stated that the advance notes which a sailor received previous to the commencement of his voyage were only discountable at a ruinous rate; but he failed to show how he arrived at that conclusion. To make that more clear to those hon. Members who had not in these troublous times the misfortune to be shipowners, he (Mr. Bates) might say that an advance note was a bill of exchange, a promissory note, and was generally drawn by the master or the owner of the ship, and it ran thus—“Ten days after (say) John Williams, A.B., sails in the ship So and So, I promise to pay to his order (say) £3 10s.” That note the sailor generally took to his lodging-house keeper and, perhaps, had to pay 2s. in the pound for cashing it. Now, for that sum, the lodging-house keeper had to run the risk of John Williams not joining the ship. If he did not join—and they all knew that Jack often got into difficulties when he had a little money in his pocket—the discounter of the note had for his £3 or £3 5s. of hard cash, a piece of paper in his possession not worth the stamp it was written upon, because, the sailor not having joined the ship, the master or owner was not liable. Now, was there anything very exorbitant in that. He ventured to think there were few hon. Members in that House who would discount such a Bill at any price. Again, the hon. Member stated that advance notes were a source of great evil. He (Mr. Bates) would admit that; but the hon. Member had not shown them how that could be remedied. He (Mr. Bates) had been a shipowner over a quarter of a century, and had as yet been unable to find a remedy. An advance note was a necessary evil, for Jack must have a pea-jacket, warm stockings, &c.; and if he did not get an advance, how was he to acquire them? It was simply impossible. He had deemed it his duty to make these few observations in justice to his constituents, a large number of whom discounted these very documents.

Question, “That Mr. Speaker do now leave the Chair,” put, and *agreed to*.

*Mr. Bates*

#### SUPPLY—ARMY ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

(1.) £657,800, Army Purchase Commission.

COLONEL BARTTELOT asked whether it was really necessary to take the Vote at that moment, because there was to be a Report from a Royal Commission from which great things were expected, while the present Vote led one to expect that little was to be done by that Commission. The impression existing on that subject might be very erroneous, but still it was rife, the Vote being so much less than it was last year; and it would be more satisfactory to those interested in the question, if the Report of the Commission was laid on the Table before that Estimate was proceeded with. Supposing the Royal Commission recommended an increase of expenditure, would the Government take that recommendation into favourable consideration?

MR. STANLEY said, the Vote was proposed in pursuance of the Act of 1871 which enabled officers to obtain the price of their commissions which might otherwise have been obtained by sale. As to delaying the presentation of that Estimate till the Report of the Commission was before the House, the Commission were still sitting, their Report had not yet been finally settled, and according to an answer which had been given early in the evening by the First Lord of the Admiralty, under any circumstances it would probably be a month before it could be laid on the Table. He had no further means of knowing what the Report might be than the hon. and gallant Member; but the matter referred to the Commission involved questions of great complexity, and the recommendation which some might wish them to make would no doubt lead to a large expenditure of public money. Meeting, as that Report would no doubt do, with the fullest considerations from the Secretary of State and others who were concerned, even if it were received at an early date it would be practically almost impossible to deal with it in a satisfactory manner in the latter half of the Session, so as to admit of its being brought before the House.

*Vote agreed to.*

## SUPPLY—CIVIL SERVICE ESTIMATES.

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £36,984, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1875, for the Salaries and Expenses of the Offices of the House of Lords."

MR. DILLWYN said, there were many items in this Vote which he thought might be reduced, and that he proposed to move its reduction in order to test the opinion of the new House as to whether it was their duty to reduce the expenditure or not. What he complained of in this case was that the officers of the other House were paid much more than those of the House of Commons, although their duties certainly were not more onerous—either they were overpaid, or the officers of the House of Commons underpaid. He did not blame the Government for adopting the Estimate of their predecessors, but he hoped they would consider the propriety of a reduction. The Chairman of Committees of the House of Lords received £2,500, while the Chairman of Committees of this House, whose duties, he believed, were much more arduous, received £1,500. Seeing no reason for that difference, he would move the reduction of the Vote by £1,000.

Motion made, and Question proposed,

"That a sum, not exceeding £35,984, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1875, for the Salaries and Expenses of the Offices of the House of Lords."—(*Mr. Dillwyn.*)

COLONEL BARTTELOT said, he must complain of his hon. Friend the Secretary of the Treasury substituting without Notice one class of Estimates for another. Had Class No. I. been brought forward instead of No. II. they might have had notice of the intention of the hon. Member who made this Motion; but that was not done. He was sure the Secretary to the Treasury would endeavour in future to give due notice of the Business to be brought on. As to the Amendment, the question was rather whether the salary of the Chairman in this House was sufficient than whether the other salary was excessive.

MR. MONK said, that while anxious for reduction where a case could be made out, he could not support the Amendment. Lord Redesdale had held the office many years; he had been admittedly able and indefatigable, and he was not overpaid. The difference between the two salaries was fair matter of remark, but perhaps that of the Chairman in this House was not sufficient.

MR. DILLWYN said, the Committee could not increase a Vote, and their Chairman's salary, though, perhaps, lower than might have been expected, was one of those settled by a Select Committee. The House of Lords had not considered their salaries in the same way, and he wished they would refer this and other points to a Joint Committee.

MR. GREGORY said, that having been a practising Parliamentary solicitor for many years, he could fully appreciate the labours of the Chairman of Committees of the House of Lords. He had most arduous duties to perform. Private Bills were every day more complicated and difficult to be understood, and the Chairman of Committees in the House of Lords had to make himself acquainted with the history of the transactions and of the undertakings to which they related. There never was a more zealous or better Chairman than Lord Redesdale, and his remuneration was not more than was adequate for the labour he had to perform. He concurred in the remark that the salary of the Chairman of Committees of this House was much too low.

MR. W. H. SMITH said, he would endeavour in future to give the House the fullest notice of the business to be brought on. Circumstances occurred at the last moment which made it inconvenient to the Committee to consider Class I., and hon. Members on both sides had been aware of the intention to proceed with Class II. That was comparatively a new Vote, as far as the House of Lords was concerned, for until four years ago that House retained the power which they had possessed from time immemorial of fixing the salaries for their own establishment. Their surrender of it and of the fees out of which the establishment had been paid was an act of grace, and it would be assuming a false position towards them for

this House to turn round and reduce the salaries. There was no more efficient public officer than Lord Redesdale, whose services in defence of public and private rights were invaluable, and his salary was not excessive, whatever that of the Chairman in this House might be. The fees surrendered by the Lords were adequate to the cost of the establishment, and he hoped his hon. Friend would not divide on the question, as to do so would appear to place the House of Commons in a false position in relation to the other House.

MR. BUTT said, he deemed it beyond the province of the House, in the absence of any complaint, to express an opinion on the services of the Chairman of Committees in the House of Lords. His remuneration was very moderate, and it was almost absurd to put forward a reduction of £1,000 on the ground of economizing the expenditure.

MR. DODSON expressed a hope that his hon. Friend the member for Swansea (Mr. Dillwyn) would content himself with having called attention to the subject of his Motion, and would not divide the Committee. He trusted he would not be suspected of an undue sympathy with the office of Chairman of Ways and Means, when he said that it was somewhat anomalous that the holder of that office, whose duties were more onerous than those of the Chairman of Committees of the House of Lords, should be paid so much lower a salary than that paid to the noble Lord who filled the latter office. As had been very justly observed, the noble Lord who occupied that position had discharged the duties of his office for many years with very great distinction, and the salary ought not to be disturbed so long, at any rate, as the noble Lord filled the office in question. When, however, a change was made, it would be fair matter for consideration whether the salaries of the two Chairmen ought not to be reviewed. It appeared to him that, when that time came, without adding to the taxation of the country, the salaries of the two officers might be put together and equally divided between the Chairmen of Committees respectively.

MR. DILLWYN assured the Committee that in taking the course he had adopted he had done so on principle, and in persisting in it, he did so without meaning anything personal towards the noble Lord, for whom he had the highest

respect. As to the great work with regard to Private Bills which Lord Redesdale had to do, there was some years ago a reason to be found in it why he should be paid a much higher salary than the Chairman of the House of Commons' Committees, because all Money Bills and Private Bills originated in the Lower House, and the noble Lord had the power of vetoing them, and thus had greater duties to perform and greater responsibility; but now many of those Bills originated in the House of Lords, and the Chairman of Committees of the House of Commons had equal power and concurrent jurisdiction with the noble Lord. He could not adopt the view that because certain estimates were placed before them the Committee were bound to accept them, and had no right to vote against them. He considered that he should not be fulfilling his duty if he did not divide the Committee.

Question put.

The Committee *divided*:—Ayes 22; Noes 125: Majority 103.

Original Question put, and *agreed to*.

MR. MITCHELL HENRY explained that he had given his vote not for the purpose of reducing the salary of the Chairman of Committees of the House of Lords, but in the hope that the House of Commons would take a more just view of the position of its Chairman of Committees and of its other officers, as in his opinion they were very much underpaid.

(3.) £41,559, to complete the sum for the House of Commons Offices.

MR. MONK said, that no doubt these were the Estimates of the last Government, and were framed under the impression that the House would meet on the 5th of February. As a matter of fact, however, it did not meet till six weeks later, and no Committees had sat before Easter. Notwithstanding that fact, he saw an increase in the Vote for Witnesses and Shorthand Writers, &c., employed on Committees, and he wished to know, therefore, whether the hon. Gentleman would consent to a reduction in the Vote to the extent of £550, the amount of the increase.

MR. W. H. SMITH said, he could not do so. The Estimates had been printed before he came into office, and he could not revise them. The slight

*Mr. W. H. Smith*

addition to the Vote had been made by the right hon. Gentleman who had preceded him, because it was found last year that the sum taken was not sufficient. If anything was over at the end of the Session it would be paid into the Exchequer, and no outlay would be incurred which was not deemed necessary by the Chairman of Committees.

*Vote agreed to.*

(4.) £47,558, to complete the sum for the Treasury.

MR. WHITWELL inquired why there were now three Lords of the Treasury appointed in the place of the two who sufficed under the late Government?

MR. W. H. SMITH replied that it was the usual custom that there should be three Lords of the Treasury, and in adopting that number the Government had been only following that custom.

MR. BUTT called the attention of the Committee to what he called a change in the constitution of the Lords of the Treasury. Formerly it was customary to appoint an Irish Member one of the Lords of the Treasury, which was to a certain extent a convenient arrangement; but that course was now departed from, and he understood that it was intended systematically to depart from it.

MR. DISRAELI: Sir, the hon. and learned Gentleman the Member for Limerick is under a complete misapprehension upon this subject. There is no rule that there should be a Scotch or an Irish Lord of the Treasury, neither is there a rule that there should be an English Lord of the Treasury—indeed, there is no reason why the three Lords should not all be Irishmen. In the first Treasury, in fact, of which I was a Member the majority were Irishmen. It depends upon their fitness, not upon their nationality whether hon. Members are appointed to fill those offices, and I should be glad to have the assistance of any Irish Gentlemen thus qualified who wish to support Her Majesty's Government, but who at present do not. I can assure the hon. and learned Member that he is labouring under a false impression, and that there is not any fixed rule by which we deprive ourselves of the services of our Irish Colleagues in this House. The hon. Member for Kendal (Mr. Whitwell) has also made an observation upon the change that he states has been made in

the constitution of the Treasury. There are three Lords in the present patent, but that is the number which the Committee of this House which sat on Public Offices decided was the expedient one. When the Ministry of 1868 retired, there were then three Lords of the Treasury; but I believe that when the late Government came into office there was a re-construction of the Treasury, and that one of the three Lords had, under another title, a larger salary. When my right hon. Friend the Chancellor of the Exchequer, however, revised the service of the Treasury, he reported to me that the re-constructed office, with the larger salary, was, in his opinion, quite unnecessary, and he recommended that we should recur to the more economical system. We have, consequently, now three Lords, as originally.

MR. DODSON: I should like to say one word with reference to what has fallen from the right hon. Gentleman. It is perfectly correct that recently under the late Government there were three Lords of the Treasury, one of whom did receive a larger salary than the others; but it should be borne in mind that at that time there was no Chancellor of the Exchequer, apart from the Prime Minister, he having undertaken that office in conjunction with his own; a third Lord was thereupon appointed to assist the Financial Secretary. I wish to point out that so far, therefore, from there having been any additional expenditure, there was some saving.

MR. DISRAELI: I would only remark that I believe the arrangement was made before the late Prime Minister became Chancellor of the Exchequer. Indeed, it took place when the Government of the right hon. Gentleman the Member for Greenwich was first formed. I do not wish to dwell upon the point, I only desire to show that the course which the present Government have taken is a regular one, and that in appointing three Lords of the Treasury we have only followed the rule laid down by the Committee which sat on Public Offices.

MR. BUTT said, he did not attach much importance to the point except as an indication of the progress of centralization, which he conceived to be most injurious if carried out in its entirety. The right hon. Gentleman had stated that there was no fixed rule that one of



the Lords of the Treasury should be an Irishman. No doubt that was the case; but, at the same time, it had been the practice for a long period of time that an Irishman should be appointed to one of those offices, and he distinctly understood that that practice was to be departed from in future. He only hoped that the English Lord of the Treasury, whoever he might be, would deal with Irish affairs as well as though he were an Irish Lord. It was not for him (Mr. Butt) to speak of the capabilities of his own Friends, the question was one for the discretion of the Government, and, of course, it was for the right hon. Gentleman to decide whether, in his opinion, the right hon. Gentleman's Irish supporters were fit or unfit for such an office. It had been said that the only duty of the Irish Lord of the Treasury was to keep a House and to cheer the Ministry, and the right hon. Gentleman might think—although for his part he could not acquiesce in such an opinion—that his Irish supporters were not qualified for the office. If, however, the right hon. Gentleman said so, he (Mr. Butt) would not dispute his word. It was the right hon. Gentleman's own description, and not his (Mr. Butt's). He would only add that if the right hon. Gentleman wished for the support of the Irish Members who now sat on the Opposition side of the House, he would only obtain it when he came to be of their opinion as to the mode of governing Ireland as it ought to be governed.

MR. DILLWYN wished to know something about the office of Auditor of the Civil List, whose duties could not be very onerous?

MR. W. H. SMITH replied that the office was held by the Assistant Secretary to the Treasury.

MR. DODSON said, he had no wish to continue the discussion on the Treasury, but he wished to state that when he acceded to the office of Secretary to the Treasury last autumn there were at that time only two Lords of the Treasury, and had been but two for a considerable time. When the Prime Minister became Chancellor of the Exchequer a third Lord was appointed to assist him.

MR. SOLATER-BOOTH said, that at a still earlier period there was a third Lord, with a salary of £2,000; indeed, there were four Lords, for a noble Lord

acted as a fourth without any salary. The constitution of the Treasury now was the same as it was before the late Government was formed.

*Vote agreed to.*

(5.) £71,212, to complete the sum for the Home Office.

(6.) £51,713, to complete the sum for the Foreign Office.

(7.) £26,890, to complete the sum for the Colonial Office.

(8.) £26,276, to complete the sum for the Privy Council Office.

(9.) £91,916, to complete the sum for the Board of Trade.

MR. NORWOOD said, he took exception to the provision of the sum of £5,000 for the costs of inquiries as to ships that were alleged to be unseaworthy, fearing that it indicated an indisposition to enforce the provision which enabled the Board to require the deposit of securities for costs from informants against the condition of vessels should charges be made with insufficient reason. Last year the Board of Trade took action against certain vessels upon false information and incurred expenses in consequence. There was also an entirely new item of £400 for inquiries into shipwrecks.

SIR CHARLES ADDERLEY explained that the item of £5,000 was a rough estimate of expenses connected with proceedings taken under the Act passed last year, the provisions of which would be steadily enforced. If the whole amount were not spent, of course the balance would be returned to the Treasury. The item of £400 appeared for the first time, because until this year the expense of inquiries had been borne by the Treasury. He hoped the sum would not be required, though it might be if there were three or four cases like one which had occurred already.

MR. WHITWELL asked in what department of the Board of Trade there was an increase of £2,000 for salaries. He also wished to know whether the £500 charged for maintaining the rights of the Crown to the foreshores represented expenses incurred over and above the ordinary expenses?

MR. J. W. BARCLAY remarked that the Board of Trade, in ordering the detention of vessels, carried out the Act

*Mr. Butt*



indiscreetly. Honest shipowners wished it enforced in a rigorous, but at the same time discreet, manner. He objected that Government surveyors were frequently sent to ports where the local surveyors might easily have performed the duties.

MR. THOMPSON wished for an explanation as to the increase of salaries in the Department?

SIR CHARLES ADDERLEY said, that the office had been re-organized by the late Government, and there were annual increments, in accordance with a Treasury Minute, which applied to all the salaries of the Department.

MR. BUTT said, he had been under the impression that the Civil Service Estimates taken that evening would be confined to a particular class; otherwise he should have been prepared to show that there was a very strong feeling in Ireland, even among those who were outside the Home Rule party, in favour of having a branch of the Board of Trade established in Dublin to attend to local matters, which could be better disposed of there than by the Central Board in London.

*Vote agreed to.*

(10.) Motion made, and Question proposed,

"That a sum, not exceeding £2,222, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1875, for the Salaries and Expenses of the Office of the Lord Privy Seal."

MR. DILLWYN said, that having just asked the House to reduce the salary of a Nobleman who had important duties to perform, he should now ask the House to refuse the salary of a Nobleman who had no duties whatever. He had always taken exception to the Vote, although he was prepared to admit the sense of the House was invariably against him. It was said to be necessary that the Prime Minister should have some one to assist him who had no departmental duties to perform, but he would rather vote the money to a Minister without portfolio than keep up a sinecure like that of the Lord Privy Seal. The Lord Privy Seal, as he said before, had nothing to do, and he had a large establishment to help him in doing it. For those reasons, he (Mr. Dillwyn) objected to the Vote *in toto*, and should move its rejection.

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MR. W. H. SMITH said, it appeared that the hon. Member did not object to the Prime Minister having assistance, but he only objected to the title of Lord Privy Seal. [MR. DILLWYN: And the establishment.] The salary was £2,000 a-year, and the establishment was £600 a-year. Successive Governments had recognized the advantage of maintaining an office held by a Member of the Cabinet who was not so fully engaged by departmental duties as some of his Colleagues, and who might assist the Cabinet upon questions requiring special consideration, and the late Prime Minister himself had borne testimony to the value and necessity of having a Member of the Cabinet who was almost without portfolio, but who, by his experience and knowledge of Parliamentary life and public business, might give important assistance to the great work of governing the country. He therefore trusted the present Parliament, like its predecessor, would see the wisdom of following the same course.

Question put.

The Committee *divided*:—Ayes 135; Noes 64: Majority 71.

(11.) £16,458, to complete the sum for the Charity Commission.

MR. NEVILLE GRENVILLE hoped that for the future the expenses of the Commission might be defrayed out of fees charged upon the charities with which the Commissioners dealt with so much advantage to the public, so that it might be made, as it ought to be, self-supporting.

MR. MONK said, he was of the same opinion, and hoped the Government would give the hon. Member an answer before the Vote was passed.

MR. W. H. SMITH thought the Committee would hardly expect him to give an undertaking on so important a question. Several years ago the late Government undertook to do something in the matter, but they found it encompassed with difficulties with which they were unable to grapple. All he could say was, that the question should be considered.

MR. M'LAREN remarked that a very small percentage on the schemes adjudicated by the Commissioners would defray the expenses. Many of the charities were of questionable utility or were mismanaged, and the Commissioners having

diverted many, no doubt wisely, to other objects, might defray their expenses in the way he had suggested.

*Vote agreed to.*

(12.) £16,408, to complete the sum for the Civil Service Commission.

(13.) £15,395, to complete the sum for the Copyhold, Inclosure, and Tithe Commission.

MR. WHITWELL asked whether this body had yet become self-supporting?

MR. M'LAREN mentioned that a Motion had been passed several years ago, at the instance of the hon. Member for Chippenham (Mr. Goldney), to the effect that there should no longer be a charge on the public in respect of the subject of this Vote, and he considered that Resolution ought to be attended to.

MR. GOLDSMID, remarking that the Vote, like nearly all the rest, included charges for "copying and writers," inquired whether it was intended to do anything with a view to ameliorating the position of the writers in the various public Departments? They were a body of men who deserved consideration, and if their duties were uniform and monotonous, still they required care, intelligence, and accuracy, and a considerable amount of information.

MR. HANKEY agreed with those who objected to any charge whatever being made on account of the matter to which the Vote referred.

MR. SCLATER-BOOTH pointed out that the Commissioners who had to deal with the matter they were discussing were in a sense public officers, seeing that they acted as a kind of intermediary between the State and the Corporations which were the holders of public property. Their net cost to the State was only £4,000, and he thought this fairly represented the value of their services. With regard to the Resolution passed in 1868 to which the hon. Member for Edinburgh (Mr. M'Laren) had referred, it seemed to him that its requirements had been satisfactorily met.

MR. W. H. SMITH said, he wished to remind the hon. Member for Rochester (Mr. Goldsmid), who had referred to the case of the writers, that a Commission had been appointed to consider that subject and the organization of the

*Mr. M'Laren*

public offices generally, and he added that until that Commission had reported he would not be in a position to make any proposals on the subject.

*Vote agreed to.*

(14.) £7,150, to complete the sum for the Inclosure and Drainage Acts; Imprest Expenses.

(15.) Motion made, and Question proposed,

"That a sum, not exceeding £33,319, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1875, for the Salaries and Expenses of the Departments of the Comptroller and Auditor General of the Exchequer."

MR. DILLWYN remarked that he thought the Audit Office ought to be entirely independent of the Treasury, and under the control of this House. The audit could not be satisfactory if the Treasury had any power in the office; the Treasury being the accounting department whose accounts had to be audited.

SIR GEORGE BOWYER said, he also was of opinion that unless the Audit Office was made thoroughly independent of the Treasury and vested with ample powers for the performance of its duties, every shilling that was voted for the office was thrown away. The tendency of modern legislation was to put everything under the Treasury, and the Treasury was an encroaching office, which ought to be strictly watched. No Act of Parliament was passed even on local matters which was not stereotyped with the words—"With the consent of the Lords of the Treasury." When people saw those words used in connection with any matter they naturally supposed the Lords of the Treasury had considered it; but the fact was, "with the consent of the Lords of the Treasury" meant with the consent of a clerk who was paid something between £100 and £150 a-year. Until the Audit Office was made independent of the Treasury, it would be perfectly useless. He would take every opportunity of bringing this matter before the House.

MR. M'LAREN agreed with the hon. Baronet the Member for Wexford (Sir George Bowyer) that a reform was needed in this matter, but he dissented from his opinion as to the services of the clerk who was paid £150 a-year.

He believed the officers of the Treasury were the real watchmen of the public purse, for it appeared in a recent Report of the Audit Office that the Treasury had allowed millions of money to be spent without any audit at all, and then sent three years' accounts to the Audit Office at once to be audited.

MR. SCLATER-BOOTH said, if the hon. Baronet would look at the various Reports of the Committee on Public Accounts, he would find they gave ample testimony of the great efficiency and zeal of the Auditor General, and his officers. Nothing more satisfactory could be conceived than the mode in which he analyzed and exercised authority over the public accounts in respect of sums voted by the House.

SIR GEORGE BOWYER denied that he had said anything derogatory of the Auditor General or his clerks. He believed the Auditor General discharged his duty admirably, and that all the other officers did the same. But the Audit Office had not power enough. If it had, those scandals which had occurred would have been prevented. He had read the Papers to which the right hon. Gentleman referred, and he had come to the conclusion that, notwithstanding the zeal of the Auditor General and his officers, the Audit Office was perfectly insufficient and was a blot on the administration of the country. The right hon. Gentleman took the course which was usual with all officials—[“Divide!”]—of praising things as they were—[“Divide!”]—and endeavouring to prevent their improvement. Since the Committee would not listen to him, he should move that the Chairman report Progress.

Motion made, and Question proposed, “That the Chairman do report Progress, and ask leave to sit again.”—*(Sir George Bowyer.)*

MR. W. O. GORE hoped the hon. Baronet would not press his Motion. Hon. Members were justified in interrupting observations which he had made at least half a dozen times. Peculation was going on in France, and the French Audit Office was totally inadequate to detect that peculation. He hoped that whatever was done, our Audit Office would not be made like that of France.

MR. DILLWYN said, the hon. Baronet did right in moving that Progress

be reported. No offensive Amendment had been proposed, and the hon. Baronet ought not to have been interrupted when he was speaking on so important a question as the auditing of the Public Accounts.

MR. GOLDSMID said, that too much heat had been imported into the discussion. He was of opinion that the hon. Member for Wexford (Sir George Bowyer) was right in asking whether the Secretary to the Treasury would not consider this matter with a view to making the Audit Office more independent of the Treasury, and thereby more able to discharge its duties. The experience of the past year had certainly shown that this was a subject of great importance.

MR. W. H. SMITH said, there was every disposition to make the Audit Office as efficient an instrument as possible for the purpose for which it was designed. It was entirely independent of the Treasury, and any differences between the two were settled by the Committee on Public Accounts. Its staff was recruited under Orders in Council by the Civil Service Commissioners, but occasionally it was required to absorb redundant clerks, just as other offices were required to do, on the score of economy.

MR. M'LAREN said, it was not so much a question of independence, as of power to remedy wrongs such as were set forth in the Report issued that morning.

SIR GEORGE BOWYER said, that six months ago the Audit Office was unable to get the clerks necessary for its work, owing to the obstruction and tyranny of the Lords of the Treasury. It had lost the power to do that which was necessary which was possessed by any auditor of a company.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

MR. BUTT said, he should move to report Progress, in order that he might bring on the first of two Irish Municipal Bills which he had introduced. He claimed the privilege of interrupting Supply at that time (20 minutes to 12 o'clock) because he had put the Bills off three times to meet the convenience of the right hon. Baronet the Chief Secretary for Ireland.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—*(Mr. Butt.)*

SIR MICHAEL HICKS - BEACH thought the statement of the hon. and learned Member for Limerick (*Mr. Butt*) hardly fair, because the Bills had been put down for a second reading before they were printed, and for days when they could not come on.

MR. BUTT said, he differed entirely from the right hon. Baronet, who had asked for postponement because he was not prepared to meet the Bills, but his want of acquaintance with Ireland was no reason why the progress of the Bills should be impeded. If they were to be obstructed, he would obstruct Supply.

MR. ASSHETON CROSS hoped the Committee would go on with Supply, and thought the hon. and learned Gentleman should have made his Motion during the presence of the Prime Minister, who had just left the House on account of the state of his health. He could assure the hon. and learned Gentleman that there would be ample time for the discussion of the measure referred to.

MR. BUTT said, he was not asking for much, only for 20 minutes, because Supply ought not to go on after midnight, and the first Bill had already passed a second reading twice, and had been defeated by obstruction and the half-past 12 o'clock rule. But, under the circumstances, in the absence of the Prime Minister, if an undertaking were given that some facility would be afforded him for bringing on the Bills he would not persist in his Motion.

MR. VANCE thought the complaint of the hon. and learned Gentleman was without foundation, because he could not have brought the Bills on at an earlier period.

MR. W. E. FORSTER suggested that, as the Government would not probably proceed with Supply after 12 o'clock, the hon. and learned Gentleman should withdraw his Motion, and he could bring on his Bills after that hour.

Motion, by leave, *withdrawn*.

(16.) £1,998, to complete the sum for Registrars of Friendly Societies.

(17.) £309,699, to complete the sum for the Local Government Board.

MR. THOMPSON objected to the sum charged for the travelling expenses of the inspectors of the Board.

MR. W. H. SMITH replied, that these were paid by Act of Parliament and therefore could not be altered.

*Vote agreed to.*

(18.) £12,435, to complete the sum for the Lunacy Commission, England.

(19.) £44,050, to complete the sum for the Mint, including Coinage.

(20.) £14,238, to complete the sum for the National Debt Office.

(21.) Motion made, and Question proposed,

"That a sum, not exceeding £18,701, be granted to Her Majesty, to complete the sum necessary to defray the Charges which will come in course of payment during the year ending on the 31st day of March 1876, connected with the Patent Law Amendment Act."

MR. DILLWYN asked for some explanation with respect to this Vote. A very large sum was paid under this head to Law Officers in Scotland and Ireland who did absolutely nothing for the money. Not only that, but if the Patent Law Amendment Act was carried out at all it should be carried out in its entirety, and that Act required that Special Commissioners should be appointed for the purpose of carrying it into effect. If that was done, the Patent Law would give much greater satisfaction than it did at present. He should move to reduce the Vote by the sum of £3,450, the amount paid to the Law Officers of Ireland and Scotland.

Motion made, and Question proposed,

"That a sum, not exceeding £15,251, be granted to Her Majesty, to complete the sum necessary to defray the Charges which will come in course of payment during the year ending on the 31st day of March 1876, connected with the Patent Law Amendment Act."—*(Mr. Dillwyn.)*

MR. WHITWELL said, he wished to remark that no less than £130,000 had been received in the Patent Office during the past year, and after all expenses were paid a balance of £81,000 was left. Notwithstanding that large surplus, it was an acknowledged fact that the Museum of Patents was in a not very reputable condition. He suggested that either so much money should not be drawn from the pockets of patentees or that the surplus should be voted to some useful purpose in connection with the subject.



MR. EARP asked on what principle the payments were regulated. He found that 13 clerks were kept in this Department at £150 a-year, while one clerk, a copying clerk, was returned at £52 a-year. If that clerk happened to be a man with a very large wife and a small family he would ask how he could be expected to conduct himself as a man should in the employment of the Government?

MR. W. H. SMITH said, he was unable to withdraw the items to which the hon. Member for Swansea objected, as they related to sums of money which helped to make up the salaries of the officers.

Motion, by leave, *withdrawn*.

Original Question put, and *agreed to*.

House *resumed*.

Resolutions to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

MUNICIPAL FRANCHISE (IRELAND)  
BILL.—[BILL 34.]

(*Mr. Butt, Sir John Gray, Mr. Bryan,  
Mr. P. J. Smyth.*)

SECOND READING.

Order for Second Reading read.

MR. BUTT, in moving that the Bill be now read a second time, said, that its principle had been accepted in two Sessions of the late Parliament; that it had received the support of the then Ministry, and that it was defeated solely by that obstructive power which the Rules of the House placed in the hands of individual Members. The Bill involved the question whether that new Parliament was prepared cordially and honestly to concede to Ireland the free principles of the British Constitution and of British laws, or whether it intended to administer the affairs of Ireland on the old principle of coercion and distrust. The object of the measure was merely to assimilate the franchise in the corporate towns of Ireland to the franchise which existed in England. As matters stood at present in Ireland, no one could be a burgess in a corporate town, unless he occupied a house rated at £10, though the Act said the sum might be reduced by allowances for insurance and repairs. That reduced the

amount practically to a house rated under the Poor Law at £8, which was equivalent in many towns to a house of £12 or £15 rental. He would ask all lovers of municipal institutions how this difference between the two countries could be justified? Let hon. Members contrast that with the state of things in England. As to the number of municipal electors in Ireland, there were in that country only 10 corporate towns. In Belfast, with a population of 174,000, there were only 4,300 burgesses; in Cork, with a population of 100,000, there were only 2,000; in Waterford, with a population of 23,000, only 700; in Limerick, with a population of 40,000, only 1,100; in Kilkenny, with a population of 13,000, only 275; in Derry, with a population of 25,000, only 600; and in Drogheda, with a population of 14,000, only 283. Contrast that, again, with the state of matters in England, where such a town as Bristol, with 180,000 of a population, had 18,500 burgesses; Carlisle, which, with a population of 30,000, had 4,600 burgesses; Lichfield, which, with 7,000 of a population, had 1,026 burgesses; Cambridge, which, with a population of 33,000, had 4,300 burgesses; Chester, which, with a population of 30,000, had 6,300; or Macclesfield, which, with a population of 35,000, had 4,700. It might be said that this was a small thing; but a nation's life, like a man's life, was made up of small things, and this was one of the differences in the two countries which made the Irish people dissatisfied, because they had not the same privileges that the English people had. Looking at such inequalities as these, could any Englishman lay his hand on his heart and say that any Irishman ought to live content under the present system? Some persons had challenged the Irish Members to bring forward measures of redress. He (Mr. Butt) now endeavoured to do so, and he hoped that this, and all other Irish measures, would receive more attention than they had hitherto done. In 1849, it was found that the Corporation of Dublin did not fully represent the citizens in consequence of the peculiar division of the wards; and an Act was passed giving the Corporation additional powers, and assimilating the franchise to that of England. In 1864, the Corporation of Belfast asked for larger powers; but the Bill was refused. Now, in Ireland,



the Parliamentary franchise in towns was a rating of £4, so that a man could vote for a Member of Parliament, and, at the same time, he was considered unfit to vote for a member of his Corporation, who, in turn, elected the chief magistrate. Was that a proper state of things? An Irishman left Limerick, and resided at Liverpool, and his rating there gave him a municipal vote; but if he returned to reside in Limerick, he became degraded. He asked seriously, was that a proper system of government for Ireland, and ought it to be tolerated? If some of them entertained opinions in reference to a division of the two countries in regard to certain matters, let the Government and the House come forward and pass measures which should unite more strongly Ireland with England. If they passed this Bill, it would be taken sincerely and cordially as a good omen; if they refused to pass the Bill, it would be regarded as an earnest and indication that they were prepared to deal with Ireland with a high hand. Was the present system of exclusion to be continued in Ireland? It was inde-feasible to have the municipal franchise higher than the Parliamentary franchise, and he challenged the verdict of the House on this one issue:—Were they prepared to tell the people of Ireland they should not enjoy the privileges of the British law and Constitution, because they were unworthy to enjoy them? Let them accept this Bill as an earnest and a pledge that they would legislate for Ireland in the true spirit of the British Constitution. The hon. and learned Gentleman, in conclusion, moved the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Butt.*)

MR. VANCE said, he could not help thinking the hon. and learned Gentleman had pursued a most inconvenient course, having persisted in bringing forward the second reading of this Bill in the necessary absence of the noble Lord the Member for King's Lynn (Lord Claude John Hamilton), who had given Notice that he would oppose it, but who had accompanied the Viceroy to Ireland. After the Report of a Commission in 1835, a Bill was brought in and passed, conferring an £8 municipal franchise on the larger boroughs, and a £4 or £5 franchise on

the smaller boroughs, which came under the Improvement Act. Subsequently, a re-distribution of the wards in Dublin took place, and the franchise was lowered to £4 in that city, and an arrangement was made that the Lord Mayor should be alternately a Protestant and a Roman Catholic. It was also understood that the Corporation should be for municipal purposes, but it became a Radical stronghold. Not very long ago they petitioned the House to remove Judge Keogh, and for Home Rule; and, in fact, every extreme measure that could possibly be devised had been supported by this Corporation. It had raised the rates to 10s. in the pound, and, instead of attending to the proper municipal government of the city, its time was taken up with political squabbles. The Corporation of Belfast, on the other hand, was composed of the highest burgesses of the place, and was one of the most useful bodies in Ireland. The same might be said of Derry and other corporations; but if the franchise was degraded these corporations would become, like Dublin, hotbeds of disaffection, and he thought the House ought to consider well the consequences of passing such a Bill, for which no demand had been made or Petition presented. He should move its rejection.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Vance.*)

MR. SULLIVAN, in supporting the Bill, said, the hon. Gentleman the Member for Armagh (Mr. Vance) had put the Corporation of Dublin upon its trial, and had made the most unfounded charges against it. The argument of the hon. Gentleman amounted to this—that although the arguments of the hon. and learned Member for Limerick might be unanswerable, the Corporation of Dublin had not represented the political views of the hon. Member for Armagh. With regard to the alleged agreement that the Lord Mayor should be alternately a Protestant and a Roman Catholic, the hon. Gentleman was labouring under a delusion, for no such compact ever existed. It was certainly true that the Catholics of Dublin for a long period in alternate years voted for a Protestant gentleman, and had put him into the civic chair—a pro-

*Mr. Butt*

ceeding which was represented by the party who acted with the hon. Gentleman the Member for Armagh as having been achieved by a "compact." He (Mr. Sullivan) emphatically objected to that statement, and affirmed that the Roman Catholic majority in the Dublin Corporation had allowed that course to be taken as a matter of generous and wise toleration, but when the friends of the hon. Member were in a majority there and elsewhere they never gave the Roman Catholic minority a chance of electing a Lord Mayor or doing any other act of justice. That was proved in the present instance, for here they saw a Bill brought in which would simply effect an act of justice, and yet the hon. Gentleman opposed it, and would keep the people of Ireland still in chains. Further, the hon. Gentleman's memory seemed to be very bad, for in the 10s., or rather 9s. 8d., in the £1 rate of which he complained, were included the poor rate and the police rate with which the Corporation had nothing to do, they being only responsible for 5s. 8d. of the whole rate. He seemed also to have forgotten that when the reformed Corporation of Dublin came into power they found that the friends of the hon. Member opposite had brought the City to bankruptcy and beggary. They found the mace in the hands of the bailiff, and the mayoralty house about to be sold, and each of the new members of the Corporation had to subscribe £300 a-piece to purchase it back to the citizens, which sum had never been repaid to them. The whole question came to this—no one could deny that the affairs of Belfast were well-managed, and he would ask why should the great majority of the people of that city be deprived of the franchise which the Bill was intended to confer upon them, and why they and the residents of other large and important places should not enjoy equal municipal privileges? If the measure were rejected because the House sympathized with the opinions of the hon. Member (Mr. Vance), the lesson learnt by the people of Ireland would be a bitter one, and perhaps the fruit of it would not be less bitter. But "let justice be done though the heavens should fall." Let the facts and figures now produced be confuted if it were possible; but let there be no more false issues on this important question.

MR. BRUEN said, he did not want to be included in the stigma which the hon. and learned Member for Limerick laid on all those who opposed the Bill. It was said to be simply a measure to place the municipal franchise of Ireland on the same footing as that of England, but the slightest glance at the statistics would show that it was nothing of the sort. When the franchise of England was changed to household suffrage, it rather more than doubled the previous number of electors, but what would be the effect of this measure in Ireland? Taking the seven towns of the Province of Leinster, exclusive of Dublin, he found that there were now 3,210 persons possessors of the franchise under a £4 rating; but the Bill of the hon. Member would increase that number to 9,764, or three to one. And when they analysed these new voters they would find that of these a large number—about 3,000—would be holders of tenements under 20s. a-year, nearly the same number that had the franchise now, who would be swamped by them. However respectable in their station they might be, the result would be to hand over the administration of the municipal funds to a class of which a large proportion were only rated at 5s. per annum. It was clear, then, that a different state of things would be produced from that resulting from household suffrage in England, and he should accordingly support the Amendment that the Bill be read a second time that day six months.

SIR MICHAEL HICKS-BEACH said, that was a Bill which did not relate to a large portion of Ireland, but was a matter of great importance to the 11 places which were affected by it. In discussing it he hoped to steer clear of the public and private conduct of the Corporation of Dublin, which in a few hours would be engaged in giving a loyal reception to the Representative of Her Majesty in Ireland. He wished to speak of that and of all the other corporations with respect; but neither from them, nor from any town in Ireland, had there been a single Petition in favour of the Bill, nor had there been any meeting held in its support. The hon. and learned Member for Limerick proposed that as the first of a series of measures to assimilate the law of Ireland to that of England; but he would remind the hon. Member that if this policy

were carried out to its full and logical extent, it might raise hopes that he and his friends would restore to Ireland the blessing of an Established Church, and would place landlords and tenants on the same footing as that on which they stood in England. He regretted, however, that the part of our institutions which the hon. Member desired to copy was one of which the present condition was not thoroughly defensible even in England. The hon. Member proceeded on the assumption that, inasmuch as the Parliamentary and municipal franchises in England were on the same basis, that state of things must be satisfactory, and that its transfer to Ireland would be also satisfactory. He believed, however, that the adoption of the same basis for both franchises in England had led to this result—that municipal and Parliamentary elections were decided on the same party issues, and hence candidates in municipalities were too frequently selected on account of their political opinions, and not on account of their fitness for the administration of local affairs. He feared, too, the effect of the change upon the expenditure of the Irish towns, and he wished to point out that from Returns presented to Parliament in 1872, it was clear that if the proposal of the hon. and learned Gentleman were adopted, a rateable value of 83 per cent, arising from ratings above £8 annual value, would be controlled, in the proportion of 64 to 36, by a rateable value of 16 per cent, arising from ratings below £8 value, which would be a most unsatisfactory state of things. Moreover, from the same Returns, it appeared that while 72 per cent of the total income of Town Councils in Ireland arose from rates, 63 per cent of that income arose from ratings above £8; and in some cases, as in Belfast, holdings under £8 only paid—at least, for certain rates—a quarter of the poundage levied on property above that value. This was a most important consideration, for municipal affairs were little else than the management of local expenditure and taxation. He would like to see the municipal franchise lowered in Ireland, but not to such an extent as to swamp the owners and occupiers of nearly the whole of the property in the boroughs. There were other matters affecting the municipal corporations in Ireland which needed reform, and the

*Sir Michael Hicks-Beach*

subject, when treated, should be dealt with as a whole.

MR. W. E. FORSTER said, he should vote for the Bill which had been supported on two occasions by the late Government. He had expected to hear more argument in reply to the statement of the hon. and learned Member for Limerick. All the statements made by the right hon. Baronet were applicable to the municipal franchise in England, and he feared the Government meant to raise it. The real argument was, that the Irish corporations might be influenced by political feelings; but it would be far better to state that we could not admit municipal government in Ireland than to attempt to restrict it to a particular class. He thought a strong case had been made out for a large reduction of the Irish municipal franchise, though the exact rate could be fixed in Committee.

MR. CORRY said, the people of Belfast did not want the Bill, as they were perfectly satisfied with the municipal franchise as it now stood.

MR. O'DONNELL said, that on the part of his co-religionists in Ireland he would be satisfied with religious equality. They wanted no Established Church in Ireland even for the majority, and if they obtained by the present measure both religious equality and municipal equality they would think there was a beginning of justice for their country.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 88; Noes 125: Majority 37.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

#### ELEMENTARY EDUCATION (EMOLUMENTS OF TEACHERS).

##### ADDRESS FOR RETURNS.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Return of the average income received in the year 1873 from all professional sources by the Male Certificated Teachers in the Schools aided by annual Grants in England and Wales; also the total number of Male Certificated Teachers, and the number of these provided with official residences rent-free in England and Wales:

"Similar Return of Female Teachers:

"Similar Returns for Scotland:

"Similar Return of the average total income at present derived from their Schools by the Head Male Teachers of National Schools, Ireland; also the total number of such Teachers, and the number of these provided with official residences rent-free in Ireland:

"And, Similar Return for Female Teachers."  
—(Captain Nolan.)

Amendment proposed,

To add, at the end of the Question, the words "the Returns to show how far the total income of the Schools is derived from National Funds, from Local Rates, from School Pence, and from Local Voluntary Contributions."—(Mr. M'Laren.)

Question, "That those words be there added," put, and *agreed to*.

Main Question, as amended, put, and *agreed to*.

#### PARLIAMENTARY VOTERS REGISTRATION (IRELAND) BILL.

On Motion of Mr. MELDON, Bill for the amendment of the Law relating to the Registration of Parliamentary Voters in Ireland, *ordered* to be brought in by Mr. MELDON, Sir JOHN GRAY, Mr. SULLIVAN, and Mr. SYNAN.

Bill *presented*, and read the first time. [Bill 72.]

#### AGRICULTURAL LABOURERS' DWELLINGS (IRELAND) BILL.

On Motion of Mr. BRUEN, Bill to encourage the erection and improvement of Dwellings for Agricultural Labourers in Ireland, *ordered* to be brought in by Mr. BRUEN, Viscount CRICHTON, and Mr. KAVANAGH.

Bill *presented*, and read the first time. [Bill 73.]

#### BARRISTERS (IRELAND) BILL.

On Motion of Mr. CALLAN, Bill to amend the Law relating to the admission of Barristers to practise in Ireland, *ordered* to be brought in by Mr. CALLAN, Mr. M'CARTHY DOWNING, Mr. O'SHAUGHNESSY, and Sir JOHN GRAY.

Bill *presented*, and read the first time. [Bill 74.]

House adjourned at half  
after One o'clock 'till  
Monday next.

### HOUSE OF LORDS,

*Monday, 20th April, 1874.*

MINUTES.]—PUBLIC BILLS—*First Reading*—  
Mutiny\*; Marine Mutiny\*; Public Worship  
Regulation (30).

*Second Reading*—Gas Orders Confirmation\*  
(25); Cattle Disease (Ireland)\* (24).

#### NEW PEER.

The Right Honourable Sir James Moncreiff, Baronet, having been created Baron Moncreiff of Tulliebole in the county of Kinross—was (in the usual manner) introduced.

#### DIVINE SERVICE IN THE CHURCH OF ENGLAND.—PUBLIC WORSHIP REGULATION BILL.

PRESENTED. FIRST READING.

THE ARCHBISHOP OF CANTERBURY, in rising to call the attention of the House to the present state of the laws regulating Divine Service in the Church, said: My Lords, I have been requested by my right rev. Brethren to bring under your Lordships' notice a subject which creates great interest in the country at the present time; and I have also been requested to close the remarks which I shall make to your Lordships by laying on your Lordships' Table the draft of a Bill which I hope may obtain acceptance. This measure is entitled "An Act for the better administration of the Laws respecting the regulation of Public Worship." I must ask your Lordships' attention to the wording of this title. It is not our intention to propose to your Lordships any change in the laws ecclesiastical, as if we thought the time had come when there was to be some great unsettlement of the arrangements made at the Reformation. On the contrary, it is our desire that the laws of this Reformed Church of England should be observed, and therefore what we request of your Lordships is to give us greater facilities in the administration of those laws. The laws which regulate public worship in the Church of England are to be found in the Act of Uniformity and in the Canons as interpreted by the various decisions of Courts when doubtful matters in the Act of Uniformity, or the Canons, were brought before those Courts. What we ask your Lordships to do is to remove certain difficulties in the way of the administration of those laws when clearly declared. My Lords, it has been said that we cannot touch this subject except in a one-sided manner—that the very touching of this matter has in itself a party aspect. I assure you it is the desire of the right rev. Bench to approach this subject as free from party bias as possible; and



I am sure your Lordships will be as anxious as we are that those who neglect to act up to laws, as was not uncommon in past times, should be obliged to obey those laws. I can remember when, in remote parishes, you might have found a very unseemly state of things—the Minister scarcely attired as he should have been, the Holy Table used for singers, and the whole air and arrangements of the Church unbecoming a place devoted to the worship of God. I am willing to believe that in the Church generally those irregularities have passed away; but if there be such things still, we are anxious that a remedy should be applied, and that the Bill which I shall lay upon the Table should enforce a due and reverent celebration of the worship of God by those who have erred in a slovenly and imperfect mode of performing Divine Service. But it is in vain to conceal, either from your Lordships or from ourselves, that the necessity for this Bill comes from another quarter. The very cry which has been raised that legislation on this subject must be one-sided, seems to show a consciousness on the part of those persons who utter it that they are not obeying the laws of the Church. Why otherwise should those persons say that those who are only anxious to have the laws of the Church obeyed must be taking a party view? I believe that those persons who raise this cry have raised it unwisely, even from their own point of view, and that persons who encourage them in the general course of their proceedings, feel doubtful as to what they are doing in this case on the ground that the cry they have raised shows a weakness in the position they have taken up. I have great difficulty in expressing in detail what is the character of those violations of the laws to which I allude, because if I brought forward particular instances I might be supposed to point invidiously to individuals—and far be it from me to hold up to the blame of your Lordships' House any one who, acting however mistakenly, is still acting conscientiously. But I am relieved from the difficulty under which I should otherwise labour by referring to a volume reporting cases in which the Privy Council and Judge of the Court of Arches have felt it necessary to express condemnation of these practices. I find in Part I. Vol. IV. of the Law Reports, 1872, some

very strange things which came before the Privy Council in certain appeal cases. There are certain things which, by the laws of the Church, are specified as not to be done; but I am sorry to be obliged to state to your Lordships that the very specification of the things which the law forbids may be taken as a specification of the things which, despite the law, have been done and continue to be done. In bringing these things under the notice of the House, I must apologize to all of your Lordships who are not members of the Church of England, but of another Church which regards many of the things complained of as most sacred. I adduce them as illustrations of the things which are done in defiance of the law, and despite monitions, and which it is in the power of your Lordships to help us to put an end to within our own Church. In the case of "*Hebbert v. Purchas*," which came before the Privy Council, the defendant was required to abstain from certain things. In the case against him he was pronounced to have offended—

"In having caused yourself to be censured when at the Communion Table previous to the commencement of the Communion Service, during the reading of which the lighted candles were extinguished, and which were again lighted during the reading of the Gospel; and in having sprinkled or caused to be sprinkled with water and blessed or caused to be blessed palm branches, and distributed the same to those present, and caused to be formed a procession round the interior of the church; and in having caused persons called acolytes and a crucifer bearing a crucifix to stand or kneel around you, and in having taken from the holy table a vessel filled with black powder and blessed the same, and rubbed a portion thereof on the foreheads of certain persons; and in having censured and sprinkled, or caused to be sprinkled, with water previously blessed a number of candles."

Again, the defendant was pronounced to have offended in causing a new acolyte—

"To kneel before the holy table, and, reading some words out of a book and making the sign of a cross over him and successively putting into his hands a candlestick and decanters; and in having censured, or permitted to be censured, a crucifix placed on the holy table during Divine Service."

Further, he was charged with—

"Having placed, or caused to be placed, on the holy table a large metal crucifix and covered and uncovered the same, and bowed down and done reverence thereto; and in having placed in the said church a modelled figure of the Infant Saviour, with two lilies on either side, and a figure or stuffed skin of a dove."



The defendant was further found to have caused or sanctioned a clergyman to kiss the book from which he read the Gospel. But I shall not weary your Lordships further; you can find all this in the Privy Council Reports. The things done by the defendant were condemned as dangerous innovations in the worship of the Church of England. These things in other communions have a sacred and solemn meaning, and when we find persons in the communion of the Church of England introducing them into our worship we must come to the conclusion that it is because those persons hold the doctrines, more or less, which make such things sacred and solemn. There is one matter of detail, my Lords, which I ought not to pass over. A statement has been placed in my hands to this effect—that in certain churches it is thought extremely desirable that confessional boxes should be erected. Your Lordships will know that these are boxes used in Roman Catholic churches for the purpose of auricular confession. This extract shows what are the views of those who advocate Confession-boxes,—

“One thing is now necessary—the erection of the confessional box or boxes in our churches. Other plans are more or less failures, and are attended with sundry disadvantages; that of hearing confessions at the altar rails may be all very well, but the sight of priest and penitent in that prominent part of the church must be rather distracting to persons who desire to say their prayers before the high altar. The objections to the use of the sacristy are too obvious to require enumeration. Mr. Bennett's ‘little chapels’ are far more desirable, but there are drawbacks to this plan also. The ‘box’ would remove all difficulties, would take away all mystery, and yet give quietness and insure freedom from molestation; while the fact that the priest is to be found at certain hours in a certain place would remove many difficulties which now stand in the way of priests and penitents in the discharging of their respective duties.”

Now, my Lords, it may be said that this is mere speculation as to the advantages which would follow if a certain thing were done; but, unless I am misinformed, direct attempts have been made in churches not very far from the place in which we are assembled—at least, within this great City—to introduce the confessional by means of partitions and curtains, if not by a regularly-constructed box, and so do the very thing which the writer of that extract says is so very desirable. I call your Lordships' attention to the fact that he seems to feel

great anxiety lest the system which he, and, I am sorry to say others, advocate, could not be generally and satisfactorily adopted without such material arrangements in the Church as he has suggested. Now, I admit that many of those things may not at first sight appear very important; but their importance will appear when viewed by the light of others. Allow me to mention to your Lordships the introduction of what are called “altar cards”—cards placed on the Holy Table and containing instructions as to the best mode of celebrating Holy Communion. I am told by a clergyman in whose veracity I have complete confidence that while on one of those cards there is one prayer in accordance with the ritual of the Church of England, there are several others which imply invocations to the Virgin Mary and the Twelve Apostles, and that there are certain which are to be said in a low tone during the celebration of Holy Communion. I only refer to those cards to show that some of the things we have to deal with are of a very grave character. I can scarcely conceive that any clergyman of the Church of England, at the holiest moment of the service, should do in secret what he dare not do in the face of his congregation—should recite, in a low tone, prayers which he knows they would condemn, and the whole Church would condemn if he dared to recite them aloud. I call upon all those who glory in the name of members of the Church of England, who have no fellow-feeling for Puritanism in any form, but who have often fought the battles of the Church of England against the Church of Rome on the one hand, and against Puritanism on the other, who style themselves specially “Anglicans”—I call upon them to come forward and declare themselves manfully against such a desecration of the Holy Communion as all Churchmen ought to unite in condemning. My Lords, we may treat our Roman Catholic brethren with that liberality and courtesy which this country extends to all denominations; but as to the people of this great nation ever again submitting to the yoke of Rome, of that I have no more fear than I have of the restoration of the Heptarchy or the overthrow of the Constitution of England. I am not even afraid that any great number of our people

will be induced to go over to the Roman faith, or that those whose practices we wish to put an end to will be able to substitute in any large number of parishes a spurious Romanism for the doctrines of the Church of England. I believe, too, that the English people are sensible of the blessings conferred on the country by that Established Church which I am sure your Lordships wish to preserve; but if straightforward, honest Englishmen should see that a small number of persons, whose names it is difficult to discover and who have no real weight in the country, are allowed to continue practices which the laws of the Church condemn, I believe that their confidence in the clergy of the Church of England would be shaken, and that a serious blow will have been dealt against that establishment, which is one of the most valuable of our English institutions. I hold in my hand a speech delivered by a man for whom personally I have a great respect, but whose opinions I deplore and reprobate. This speaker at a public meeting—whose name I will not mention—is reported to have spoken this sentence—

“Nothing is so fatal to us as this Establishment; and if, by the blessing of Almighty God, the suspension of Mr. Mackonochie overturns that rook’s nest, so much the better.”

I am glad when I find a gentleman who holds such opinions speak plainly. It is well we should know what are the views of those who follow practices such as those condemned in the case of “*Hebert v. Purchas*.” I have before me a long list of memorials addressed to right rev. Prelates against those customs; and a further proof that the feeling of the laity is against them was recently given in the diocese of Durham. The Bishop thought it right to take severe measures against a few clergymen who indulged in those practices. At first we thought that he was going beyond the mark; but the laity rose in a body, expressed approval of the action of the Bishop, and stated their willingness to support him in any further measures which he might think it right to adopt. If it be true also that the time of the Bishops is very much occupied with complaints on this subject, that is another reason why your Lordships should come to our assistance. It may be asked why, if the dangers are so

great as I have described, should there be any difficulty in administering the law? There is no difficulty in knowing what the laws and the intentions of the Church of England are in these matters. And again I ask your Lordships to remember that what we are asking is not in any respect to alter the laws of the Church, but merely to help us in their due administration. Every clergyman at the time of his ordination declares that he will listen to the admonitions of those who may be set over him; and when he is licensed to any curacy or any place of preferment, he again makes a declaration of obedience to the Ordinary in all things lawful and honest. Now, my Lords, I wish to judge no man’s conscience, but I should think it strange if, when a Bishop called on a man who made this promise to obey the law, he should reply, “I will not obey your admonition when you call on me to obey the law, because your admonition is neither lawful nor honest;” and yet, my Lords, I do not know in what other way those of whom I complain can excuse themselves. It is laid down in the Canons that if there be any doubt about the dress of the clergyman, the matter is to be referred to the Ordinary, and he is to decide it. Again, it is laid down in the Canons that if there be a question between parties as to the meaning of any passage in the Book of Common Prayer, they are to come before the Bishop, and if not satisfied with his decision, before the Archbishop. Again, it is provided that nothing shall be put up in any Church without a faculty out of the Bishop’s Court. All this shows what the intention of the Church is. Certainly, it is not her intention that any young and inexperienced man, fresh from college, who goes to a parish should upset everything that has been going on there satisfactorily for perhaps 50 years before—but it is her intention that if he wishes to introduce changes which in his opinion will make the celebration of Divine worship approximate more nearly to be what it ought to be, he should apply to the Ordinary. And on what other principle ought a clergyman to proceed? My Lords, in asking for a better administration of the law we are asking that the distinct ordinances of the Church shall be carried out. But it may be said—“If the directions in the Prayer Book fail to command obedience, there

are still the Ecclesiastical Courts, and where, therefore, is the necessity for further legislation?" My Lords, I do not mean to make any charge against the Ecclesiastical Courts. Certainly I wish that the noble Earl opposite (the Earl of Shaftesbury) had succeeded in reforming them, and if he again attempts to bring about such a reformation, I shall be happy to lend him my assistance. I do not, then, make any charge when I say that, at all events, they are not more exempt from delay than the other Courts, and in matters which the Bishops have often to deal with it is the delay which constitutes the danger. Such is the delay at present that pending the settlement of a debated point, a parish may be thrown into confusion, and the parties to the dispute may be dead before the question is decided. If we had a summary process, much of this evil might be avoided. I am satisfied that in many cases there would be no dispute at all if the parishioners believed that the clergyman had authority for what he was doing. In many cases the belief that he has no such authority gives rise to the dispute, and the delay in settling the question thus raised proves fatal to the peace of the parish. Frankly, I will say that I think the delay is greater in the Ecclesiastical Courts than in the other Courts of the country. The noble Earl the Secretary for the Colonies (the Earl of Carnarvon) moved for a Return to show the length of time and the expense in each case tried in the Court of Arches. I do not know that there is any great reason to complain of the time taken to dispose of a case, considering the gravity of many of them, and the present legal mode of procedure; but a case hangs there so long that in some instances a year has expired from the commencement of proceedings to the time when the decision is pronounced, and if the case is brought to the Privy Council I need not say that there would be further delay; for the Court of Arches is only one of the three or four stages through which a case may pass. No one can say that this is a speedy process. I do not say the time expended is more than under present forms the gravity of cases may require, but it must be admitted that the proceedings are tedious, and we want to remedy that.

I now, my Lords, wish to call your attention to the expense of these proceedings, which is a much more serious matter. My excellent friend the Registrar of the Court of Arches has made a return of the expenses as well as of the time occupied; but I must say I was surprised when I read the paper to find that on the face of it those expenses did not appear to be very great. The Judge, who is paid by a system which I hope to see soon exploded, has only a fee of £1 10s., or £1, or, in some instances, 10s. on a case; but the fees of the Registrar, who seems to have the best of it, range in this return from £13 to £27. That is the end of the fees paid to the officials of the Court; but we find that the real fees only commence after the payment of these sums. My excellent friend states in a foot-note—I fear not without some sarcasm—

"The undersigned is unable to make a return of the fees paid to counsel and solicitors in respect of the foregoing cases, but from his long professional experience he is enabled to state that the fees to counsel generally form the largest item."

What the amounts paid in fees are your Lordships will be able to form some idea of from a summary of costs in the case of "*Shepherd v. Bennett*." In that case the total amount of taxed costs was £11,015 10s. 6d. Of these were—for "the fees paid to counsel," £4,200—a very sufficient sum; "solicitors' costs, disbursements, &c.," £5,727 15s. 2d.; Proctors' costs, £1,088 15s. 4d. Now, such costs as these are a very serious matter when there is occasion to try the question whether a clergyman has committed any irregularity in the performance of Divine Worship; yet you are obliged to tell churchwardens in remote parishes complaining of irregularities in the performance of Divine Worship, that the "Courts are open to them." In the cases of "*Hebbert v. Purchas*," and "*Elphinstone v. Purchas*," the amount of taxed costs was £7,661 18s. 7d., and the approximate calculation of fees paid to counsel was £2,572. It may be said that there is no obligation to employ counsel in an ecclesiastical case. My Lords, it is the privilege of every Englishman to pay as much as he likes for counsel, and you would deprive churchwardens of one of the rights of an Englishman if you did not allow them to employ counsel; and certainly, when a



man's freehold is concerned, I do not think we can prevent him from having the benefit of counsel. It is therefore that an alteration has been made in the original draft of this Bill, which will enable those who desire it to have the benefit of counsel; but certainly we shall give no encouragement to the appearance of counsel. Your Lordships will recollect the anecdote of the man who told an eminent lawyer that he wished to plead his own cause, and the reply was that if he did he would be hanged, upon which he changed his intention, and rejoined, he would be hanged if he did. Well, we shall not exclude counsel; but I think the simplification of the procedure will render their appearance unnecessary in most cases. My Lords, as early as the year 1867 the attention of Her Majesty's Government was directed to the subject we are now considering. In consequence of the alarming state of things which then seemed to have arisen, a Commission was appointed to consider and report as to a mode of settling the difficulties to which I have been referring. I will not weary your Lordships by reading all the details of the recommendations of that Commission, but with a view of establishing a simple and inexpensive process, the Commissioners stated—

“With regard, then, to lights and incense, as well as vestments, we think that a speedy and inexpensive remedy would be provided for parishioners aggrieved by their introduction, and the remedy which we recommend is the following:—First, that whensoever it shall be found necessary that order be taken concerning the same, the usage of the Church of England and Ireland as above stated to have prevailed for the last 300 years shall be deemed to be the rule of the Church, in respect of vestments, lights, and incense; and secondly, that parishioners may make formal application to the Bishop *in camera*, and the Bishop on such application shall be bound to inquire into the matter of the complaint, and if it shall thereby appear that there has been a variation from established usage, by the introduction of vestments, lights, or incense in the public services of the Church, he shall take order forthwith for the discontinuance of such variation, and be enabled to enforce the same summarily.”

“We also think that the determination of the Bishop on such application should be subject to appeal to the Archbishop of the Province *in camera*, whose decision thereon shall be final. Provided always, that if it should appear to either party that the decision of the Bishop or Archbishop is open to question on any legal ground, a case may be stated by the party dissatisfied, to be certified by the Bishop or Archbishop as correct, and then submitted by the

said party for the decision of the Court of the Archbishop without pleading or evidence, with a right of appeal to your Majesty in Council, and with power for the Court, if the statement of the case should appear to be in any way defective, to refer back such case to the Bishop or Archbishop for amendment.”

My Lords, it was while following the plan sketched out by the Ritual Commission that I at first thought it would be possible to dispose of those matters *in camera*; but on further consideration the right rev. Bench and myself are of opinion that where the freehold of a clergyman may be interfered with, he should have a more formal hearing. I also thought it desirable that there should be an admixture of the laity in the Court that gave a decision in these cases, such as could only be brought about by forming a somewhat novel tribunal. I therefore at first proposed that two laymen, or four laymen, and two or four clergymen should be associated with the Bishop; but we found that great difficulties would have to be encountered in the appointment of such a tribunal. Accordingly we have come to the conclusion of adopting the tribunal provided in the Church Discipline Act of 1841. We propose that the Bishop with three assessors should sit in judgment on those cases. I trust that the hearing will be in the neighbourhood where the case itself has arisen and not in London, and as the nature of the Court will not be very formal or formidable, I hope the cases will be disposed of in a summary way and with little expense. We proposed at first that the Archbishop's decision should be final; but that proposal depended on the hearing being *in camera*. Where the hearing by the Archbishop is *in camera* the appeal to him by constitutional usage is final. That was decided by the Privy Council in a case which as Bishop of London, I heard *in camera*, and in which subsequently an appeal was heard by the Archbishop of Canterbury also *in camera*. I say so much to show that our original proposal for having the appeal to the Archbishop final was not any interference with the Royal prerogative; but on consideration we now propose that the appeal to the Archbishop shall not be heard *in camera*, our object being that he shall be able to send it immediately, if he should be so advised, to the new Court of Appeal. The course, in brief, which will be fol-

lowed under this Bill will be that any parishioner, or the rural dean, or the archdeacon, shall have a right to go before the Bishop and say there is a grievance. If the Bishop should think that the matter is one which ought to be inquired into—for we cannot shut our eyes to the fact that very frivolous complaints are made to Bishops, and there must be some authority to judge as to whether complaints are frivolous—he shall have the complaint drawn up on paper. The Bishop will then—following the provisions of the Church Discipline Act—call his assessors together and hear the case and pronounce judgment upon it as speedily as possible. Should that judgment forbid the thing complained of the Bishop shall issue his monition under seal forbidding it to be done. We further propose—and here is a matter almost essential—that the monition shall take effect *pendente lite*, and that the clergyman shall not do the thing forbidden by the monition until he has obtained a judgment in the highest Court of Appeal, deciding that he may do it. I think these enactments will put an end to many vexatious proceedings, and whatever other changes you may make in the Bill, I hope you will not make any change in that last provision. My Lords, there are many advantages that will be derived from this measure, but not the least important of them will be, I trust, the speedy extinction of those needless and wearisome complaints, which are so easily preferred, and which cause so much irritation—complaints which reach us by almost every post representing that the Bishop ought to do or not to do this or that, and remonstrating still more that they do nothing. This I trust will speedily be at an end, through the substitution of summary process for the present system of protracted litigation. At present it is impossible to enter parishes in which questions such as I allude to are pending without seeing the amount of irritation they cause. I also think there will be a great advantage in having cases heard on the spot instead of in London, as this latter system causes the keeping of witnesses in London besides being a source of considerable expense. We consider that another advantage will arise from the fact that the Court of Appeal will not be encumbered with articles which require to be corrected and re-corrected,

and that there will be an end of the system of appeals and counter-appeals on minor matters in the articles of charge. We propose to give an appeal from the Archbishop only to the man whose freehold is interfered with. Only he will have a right to go to the Archbishop with the view of having his case brought before the new Court of Appeal. My Lords, it has been said that we were coming to your Lordships' House to propose what would be a revolution in the Church of England. If it be a revolution to say that the law ought to be obeyed—if it be a revolution to enable parishioners to obtain their just rights without squandering their money in needless costs—if it be a revolution to quietly and speedily put a stop to the heart-burnings now complained of, then we must plead guilty to our plan being one of revolution. The revolution we propose to bring about is one of those peaceable revolutions for which England is famous among nations—revolutions which have quietly removed proved abuses and have saved many a venerable institution which would otherwise have been destroyed, not from any evil inherent in its nature, but from abuses which have gathered round it through its very antiquity. The most rev. Prelate then *presented* the Bill, and moved that it be read 1<sup>a</sup>.

A Bill for the better administration of the Law respecting the regulation of Public Worship *presented* by the Lord Archbishop of CANTERBURY.

THE EARL OF SHAFTESBURY said, during four consecutive years he had brought in Bills for the reform of the Ecclesiastical Courts; and he thought most of their Lordships would now agree with the most rev. Prelate that without an improvement in the form of procedure it was impossible to deal with the cases to which he had been referring; but he wished to ask him whether the Bishop's assessors were to be laymen or clerical?

THE ARCHBISHOP OF CANTERBURY: I think that under the terms adopted from the Church Discipline Act of 1840 they may all be laymen. That Act states that the Bishop shall have three assessors, one of whom shall be the Dean or Archdeacon of his diocese or his Chancellor, another a barrister of a certain number of years standing, and the third



anyone selected by the Bishop. We hope that the Chancellor will be in most cases a layman.

THE EARL OF SHAFTESBURY said, that at present a large proportion of the Chancellors were not laymen; and within the last six months two clergymen had been appointed by their respective Bishops, Chancellors in the Dioceses of Chester and Lichfield.

LORD SELBORNE: My Lords, there cannot be two opinions as to the manner in which the most rev. Prelate has introduced the subject to your Lordships' notice, and I think there will not be much difference in your Lordships' House as to the necessity of legislation in respect to these matters. How advocates of Church authority, who are supposed to be actuated by what are called High Church principles, can imagine for a moment that the cause they profess to have at heart is advanced by the setting aside of all authority—whether the authority of the Crown or episcopal authority—is a problem which I cannot undertake to solve. It is one I have always contemplated with astonishment. But of one thing I am satisfied—that no institution can stand which in matters of form and ceremony has not within itself sufficient power to procure obedience to laws necessary to retain the confidence of the people and to prevent innovations dangerous in their tendencies, if not dangerous in themselves. I accept the appeal made by the most rev. Prelate, as one who from his earliest days has felt a deep attachment to the Church of England, and has been desirous to see her kept alike from Romanism and from Puritanism. There are, perhaps, some inevitable defects incident to the establishment of the Church in connection with the State; but it secures to the country invaluable blessings, and no more deplorable calamity could befall us than that it should be destroyed. On this occasion I shall say no more on the general subject; but, with respect to the particular proposal of the most rev. Prelate, there are one or two observations which I should like to make. I think there is an absence of any due provision for the expenses to which the Bishops are liable to be put in the execution of the ecclesiastical law. Formerly the Bishops were in possession of very large estates, many of them yielding exceedingly large reve-

nues. But by the process of legislation, fixed incomes have been substituted for the maintenance of the Bishoprics, and the surplus revenues have been brought into a common fund, with the view of their being better distributed for the general service of the Church. Of the principle of that measure no man can more cordially approve than myself; but then I think it is a serious matter if those funds are now entirely devoted to other things, without relieving the Bishops from the expenses of which I am speaking. The most rev. Prelate told us of one suit in which the expenses were £11,000, and of another in which the costs, on one side only, amounted to £7,000. It is impossible not to see that this amounts to the practical prohibition of any effective execution of the ecclesiastical law in cases in which the duty of enforcing it lies on the Bishop. How can he, with an income of £4,000 or £5,000 a-year, on which there are already so many and such heavy demands, bear that additional burden? It is plain that it is neither legally nor morally right to expect that he should do so; and unless those funds which formerly existed for the purpose, amongst other things, of meeting such necessary expenses may in some manner, under due regulations, be charged with those expenses, I do not see how it is possible that ecclesiastical law can be administered. I certainly hope that something may be done in any measure introduced on the subject to check the growth of those enormous expenses to which the most rev. Prelate has alluded. It is a scandal and a disgrace that it should be possible that there should be such an amount of costs. Means should, at all events, be provided to prevent those who do not voluntarily incur those costs from being called upon to defray so heavy a charge. There should be funds behind them devoted to the general purposes of ecclesiastical prosecutions. The other point to which I wish to refer is this. The most rev. Prelate provides for cases brought at the instance of certain persons before the Bishop *in camera*, to be there determined, with a certain right of appeal. He did not, however, mention any provision for a class of cases which I faintly hope may also exist, and which may be very advantageously provided for. I have reason to believe that

there are those in this country who, while they take no part in the extravagancies to which the most rev. Prelate has alluded, yet are anxious—perhaps rather punctiliously anxious—to conduct Divine service in the manner which, rightly or wrongly, they have persuaded themselves is proper, and authorized, according to their true construction by the laws of the Church. They do not feel that in such matters they are called upon to give up what in their estimation is obedience to law, even in obedience to the opinions of their Bishops. I believe, however, that many such men would be only too glad that the law should provide some summary method by which questions of that kind, in respect to which they differed from their Bishops, might be quickly and inexpensively, as well as amicably, decided. If, for instance, in a case in which the Bishop ordered a certain thing to be done, and a clergyman, in a proper and respectful manner, stated that he thought it to be against the law, the matter was by common consent referred to a Court of Ecclesiastical Appeal, no small number of clergymen might in that way, it appears to me, be perfectly willing to change their practice if, after fair and full argument, the law so determined. I may add, in connection with that subject, that I deeply regret that some questions of real importance in which differences of opinion of that nature have existed should have been decided by the highest Court of Appeal, unavoidably in the absence of proper argument. If that were done in any civil case involving an ordinary question of the law of the land, and the matter were afterwards brought before the same tribunal, it might, not impossibility, be found that the points raised could not be finally and conclusively settled without the benefit of argument on both sides. I cannot help thinking, therefore, that if it should appear to the most rev. Prelate advisable to introduce clauses into this measure for taking the highest judicial opinion by consent, but after argument, on questions on which *bond fide* differences of opinion may be entertained, without complaint or litigation, we should find in such a mode of proceeding the best and most satisfactory solution of some of the greatest difficulties with which we have to deal at the present moment. I need only add

that I am sure the proposal which has just been submitted to us will receive from your Lordships that respectful attention to which everything that proceeds from the most rev. Prelate is entitled.

EARL NELSON complained that the most rev. Prelate, while referring to very extreme practices, certainly carried out by very few, should not have called their Lordships' attention to the great extent to which, in a less way, the law was broken at the present time. The right rev. Prelate, as it seemed to him, had laid too much stress on extreme cases, and took no sufficient cognizance of the great number of cases of much minor moment by which the law was broken at the present time. Now, what was really wanted was to get those who disobeyed the law from conscientious scruples, and from no wish to alter the practice of the Church, separated from those who would go the extreme lengths of which the most rev. Prelate had spoken. Unless that could be done all the efforts of the Legislature would be fruitless, because otherwise a large body of mistaken but still true clergy of the Church of England would feel themselves obliged, though reluctantly, to take part with the extreme men. We never had such a state of lawlessness as existed at the present moment until after the Purchas judgment. With regard to the history of the Purchas Case, the extreme practices carried on by Mr. Purchas—who was supposed by many people to be rather touched in his head—had the sympathy of hardly anybody. That was the reason why the case was undefended in the higher Court of Appeal; and the very fact that the judgment in an undefended suit in which people were not interested a bit was to be the rule that should govern all future cases, overruling the judgment of the same Court in a previous case, had the effect of greatly unsettling the minds of the clergy, who could not see how a judgment in so special a case could be of universal application. He would mention two cases which seemed to justify him in this lenient view of the mass of the clergy who disregarded the Purchas judgment. The lamented Bishop Wilberforce, as was well known, had clearly intimated to the clergy of his diocese that he would not proceed against them if they complied with

the law as enunciated by the Court of Arches. Now, that judgment had been overruled by the higher Court, whose decision was to all intents and purposes the law, as being the last authoritative interpretation of it. Yet Bishop Wilberforce was obliged to make the concession to the conscientious scruples of his clergy. That was a proof that there was some reason in the dissatisfaction which existed as to the Purchas judgment as the latest interpretation of the state of the law. Another Prelate, in lately taking action to induce the clergy to obey, made the judgment of the lower tribunal, the Court of Arches, the basis of his proceeding. How could a Bishop expect to enforce the law if he felt himself compelled to take as his standing ground a judgment which was not the final judgment of the Courts of this country? Those upon whom he wished to enforce the law might, of course, turn round and say that he had not based his action on the judgment of the highest Court of Appeal, and that they therefore had equal liberty to choose what judgment they might prefer as their rule also. The difficulties in the case were therefore much greater than if they had to deal only with extreme men who were few in number and pushed things to such extremes that everyone perceived they were wrong. There were a vast number of conscientious clergymen—men as loyal to the Church of England as any of their Lordships or of the right rev. Prelates themselves—who were panting for a clearer definition of the law of the land. He did not agree with them, for he had always advised them that they should accept the law as it had been laid down by the highest Court, and then they might do what they could to get the law settled as in their consciences they desired. The first step towards removing the lawlessness which existed was, in his opinion, to start an amicable suit and have all those matters ably and fully argued on both sides, and a clear decision upon them obtained from the new Court of Final Appeal. That decision, he believed, as soon as it was given, would be a salve to the consciences of men who were forced, as they felt, to be lawless, because they could not understand how the judgment in the Purchas Case was really binding on them. He himself wished they could see that it was

binding on them; but if they did not, and if they were not wilfully breaking the law, their Lordships' House ought to weigh carefully their case, and give them a chance of having a decided reiteration of the judgment, even if it were exactly word for word the same, which they would then accept as a clear interpretation of the law of the Church. As this was a question of very great moment, touching the consciences of all, it was a great pity it should be brought forward—especially at that time—by means of a Bill to be laid on their Lordships' Table. Both Houses of Convocation of the Province of Canterbury were to meet on the 28th—the very day, according to a rumour which had reached him, that was to be fixed for the second reading of this Bill. The measure ought not to be pressed till the representatives of the clergy had an opportunity of considering a matter affecting them deeply. He confessed it appeared to him a gratuitous slight to the Church of England not to allow that body that specially represented it the slightest voice in such a measure.

THE BISHOP OF LINCOLN confessed he thought it would be a grave matter if it could be said of the Prelates of the Church of England that they preferred to deal with things which concerned the temporal and spiritual interests of the clergy rather in their character as Peers of Parliament than as Fathers of the Church of England. He was obliged to the noble Earl (Earl Nelson) for reminding the House that the Convocation of the Province of Canterbury was to meet to-morrow week:—he most respectfully entreated the most rev. Prelate to postpone the second reading of the Bill until after the deliberations of that general Synod of which he was the President. Then each of them, as Bishops of the Church, would have an opportunity, after invocation of the Holy Spirit to direct their councils, of expressing their opinions on that matter. He feared there might be a schism between the Upper and the Lower House of Convocation if this measure were pushed forward with anything like intemperate and indecent haste. If by any mischance the spirit of discord was introduced into the Synod of that Province he trembled for its results more than he did even for the results of the lawlessness which had been spoken of—although these last he deplored as much



as anyone could do. Let him be allowed to remind their Lordships of what occurred in the earlier part of the last century. A feud arose between the Bishops in the Upper House of Convocation and the clergy in the Lower, and the disastrous consequences of this feud were seen in the silencing of Convocation for a century and a-half, and in the estrangement of the clergy from the Bishops. Their Lordships' debates would be read to-morrow by the clergy with the deepest interest; and it was very desirable they should see that some one had come forward to remind their Lordships that the clergy had important interests to maintain. The present measure affected the spiritual and temporal condition of each of the 20,000 clergy of the Church of England, and they ought to have an opportunity of expressing their opinions upon the Bill. He therefore asked their Lordships to give some attention to the feelings and to respect the conscientious scruples of men who might be deluded but were not disloyal, and not to condemn them unheard. He had listened with pleasure to the noble and learned Lord (Lord Selborne), than whom no one represented with greater fidelity the Anglican Church, and he said there was a strong spirit of loyalty in the heart of that Church, and if they could separate that spirit of loyalty from the extravagance of some and from the intemperance of others they might render the greatest service to the Church. He thought that if Convocation were allowed to consider the measure proposed, it might prove as oil poured upon the waters of strife; and the Church might be able to recover from these unhappy divisions which distracted and weakened her, and to devote all her energies to her proper missionary work at home and abroad, and of maintaining apostolic order and evangelical truth.

THE ARCHBISHOP OF YORK: I think the noble Earl who spoke a few moments ago (Earl Nelson), and my right rev. Brother have forgotten that it is a Rule of the House that before a Bill has been read the first time the day for its second reading cannot be fixed. The second reading of this measure has not yet been fixed for any particular day, and there is nothing to prevent the most rev. Prelate from consulting the convenience of all parties—There is nothing to prevent my most rev. Friend from consulting the

convenience of Convocation, or of any other persons who take an interest in the subject. The right rev. Prelate (the Bishop of Lincoln) spoke, if he will allow me to say so, in extravagant terms, and somewhat misdescribed the measure. This is not a Bill to alter the spiritual and temporal status of every clergyman. It is simply a new legal process in addition to the existing processes, by which the law, when once clearly ascertained, may be put in force. It would be unfortunate if the clergy, who do not all sit in the Lower House of Convocation, should think that their status, spiritual and temporal, is about to come before your Lordships. It is a principle in this country that, sooner or later, the law, when once ascertained, must be observed by all of us. It binds the Queen on the Throne and the right rev. Bench, and it ought to bind the clergy. When I hear from the noble Earl (Earl Nelson) that there are among the clergy some moderate men who feel bound to disobey the law, he seems to forget that the clergy, on entering upon office, take a solemn declaration that a certain book is according to the Word of God, and that they will use the same unless it shall be otherwise ordered by lawful authority. From the very office of ordination—from the very threshold of their professional career, they profess to be bound by the laws of the Church of England; and, while I admit that it would be with great misgiving I should put my hand to any fundamental alteration of the law of the Church, a process for enforcing upon all of us the law, when once fully ascertained, does not seem to me tyrannical or objectionable. A friendship of a quarter of a century makes me view with profound respect any suggestion from the noble and learned Lord (Lord Selborne); but I cannot accept his suggestion that the Bishops' costs are to be paid in any case out of the funds of the Ecclesiastical Commissioners. I have had one of these cases myself. Compared with the leviathans which have been disporting themselves before your Lordships it is a small minnow. The costs on my side were only £2,300; but, whether such charges are convenient or inconvenient, I will not be a party to any Resolution which asks for a single farthing of the funds devoted to the augmentation of the poorer livings throughout the country. It is

because the costs are enormous that we come here with this Bill. We do not want the costs to be taken off our shoulders, but we wish this utterly foolish and senseless prolongation of suits to be remedied. In my own Court last week a case was brought up from the diocese of Chester on the admission of the articles, which is the first of two long stages, and the question raised was whether a clergyman is responsible for the acts of his curate. I believe that was determined in the Mackonochie Case. However that may be, it would have been quite possible to send up that with the rest of the case; but counsel refused, wishing it to go up on the admission of the articles, which will take about a twelve-month. It will then come to the Provincial Court to be argued on the merits; and then will find its way again before the highest tribunal, when the Lords who heard it will have forgotten it, or when the tribunal will have been somewhat changed; and will come back for another tedious hearing—four or five years thus elapsing. It is only necessary to describe these things to have them condemned; and but for party considerations no clergyman or layman but would wish all these things, which have no use in them, to come as speedily as possible to an end. I would be no party to abridging the reasonable latitude now existing in the Church of England. I have seen it stated in the public papers by an eminent person that we seem to wish to get rid of this part of the clergy or that. I believe there is no such feeling in the mind of a single Bishop. I think it the greatest good fortune that there is a variety of opinions in the Church of England. I am thankful for it within certain limits. I believe the discussion even of these highest topics, carried on in a reverent manner, is good for us all; but, let the law be as wide as you will, there must be a limit somewhere, and we wish to carry out that law and limit. I am persuaded the time has come when we must do so, or else see the Church of England, which has been so active in the past, and has never been more active and useful than it now is, deposed from her high position and the national trust withdrawn from her, simply because it is impossible to determine who or what she is.

THE DUKE OF RICHMOND: My Lords, it is not my intention to follow

*The Archbishop of York*

the noble Earl (Earl Nelson) into the merits of the Purchas Case or what happened on that occasion, because it is wholly irrelevant to the present issue and would be embarking upon a discussion which might be exceedingly long and might not bear much fruit. I did not gather from the remarks of the most rev. Prelate that he has any desire of pressing on the Bill with any of the intemperate and indecent haste apprehended by the right rev. Prelate (the Bishop of Lincoln). The statement with which the most rev. Prelate introduced his measure was very lucid and very temperate. It is a matter of very considerable difficulty, and yet in his statement he was able to avoid anything which might give offence to any party or individual in the Church. We must all regret that anything should have occurred to induce the most rev. Prelate to propose legislation on this intricate subject; but we must admit, from circumstances within our knowledge, and from the facts and arguments adduced by the most rev. Prelate, that it is necessary to do something to put an end to the differences which unhappily exist in the Church. I entertain the highest respect for all parties in the Church who are endeavouring, according to their consciences, to carry out the duties of their sacred calling; but I cannot help thinking that many of the differences which have arisen have been caused by the attempt of some over-zealous persons to introduce practices and ceremonials wholly repugnant to the feelings of the great mass of the people of this country. Any measure which, while commending itself to the clergy and laity, puts an end to the cumbrous and expensive machinery which exists in all ecclesiastical cases, would be a great and lasting benefit. I offer no opinion on the necessarily intricate details of the Bill, which can be considered only when they are printed; but I may assure the most rev. Prelate on the part of the Government that they acknowledge the importance of the subject, and will give it their earnest consideration, and that their decision, after due deliberation, will be, I hope, commensurate with the gravity of the matter.

*Motion agreed to; Bill read 1<sup>a</sup>; to be printed; and to be read 2<sup>a</sup> on Thursday the 30th instant. (No. 30.)*



THE FIJI ISLANDS—RUMOURED  
CESSION.

A PAPER PRESENTED (BY COMMAND).

THE EARL OF CARNARVON, in rising to present (by command) certain Papers relating to the affairs of the Fiji Islands, said, that he lately declined to produce the Papers asked for on this subject, it being then uncertain what stage the Commissioners' inquiry had reached. A telegram had since reached this country announcing the formal cession of the Islands to the British Crown; but there had been no official communication of this, and he had no reason to believe in its accuracy, for he believed he should otherwise have heard of it, and it was not competent for the Commissioners to take such a step on their own responsibility. Feeling sure, however, that the inquiry had concluded, it was desirable to produce the Papers. The Papers which would shortly be in their Lordships' hands would show the object which the late Government had in view, and the scope which was assigned by them to the Commissioners. These instructions indicated certain possible forms of government which might be set up in such a country as Fiji, and stated certain inquiries which it was the business of the Commissioners to make. Many of those inquiries were of a very important nature. They related to the tenure of land, the amount of land which was held, or supposed to be held by different companies, to tribal customs, and to much which would affect the ultimate question of administration, if the Islands were hereafter annexed. Since the Commissioners proceeded to the scene of their inquiry a considerable change had occurred. The Government—if it deserved the name of Government—of those Islands had been greatly altered, the whole authority residing in the hands of three Englishmen, who certainly appeared not to be very popular. The Treasury—if so it could be called—was in a state of greater indebtedness than before, and the distress which previously existed was augmented. In fact, with 170,000 Natives and 3,000 or 4,000 Whites, who were very much at variance with each other, it had been difficult to restrain the discontent within reasonable bounds, and on several occasions it had been on the point of coming to actual and open warfare. The law-

lessness had been, he doubted not, considerable, and had really been kept in check only by the not very well defined, but very wholesome jurisdiction administered by various captains of English men-of-war on the station. In laying the Papers on the Table, he certainly at that moment desired to draw no inference from them. They would be found to contain a great deal of important and interesting matter; but their Lordships would see that the question of the annexation of these Islands was, in all respects, a very large one. They had been repeatedly offered to the British Crown, and the offers had been more than once declined. On other occasions those offers had been endorsed, so to speak, by some of the Australian Colonies—Victoria, New South Wales; and, indeed, all of them had expressed opinions in that direction. More than that—one, if not two, companies had been formed to obtain land and administer the Islands. No one who had at all looked into the matter could fail to be aware of the great importance, in more than one respect, of those Islands. Formerly, they were isolated, but latterly they had come more and more into the track, so to say, of civilization by legitimate, and, he feared, also illegitimate trade. In looking at the question, many considerations forced themselves upon one's mind. There were the considerations of climate and production, of winds and currents, of expense, of organization of administration; and there was, lastly, but by no means least of all, the very serious question as to the feelings of the Native races. He could not but think that the Islands were now in very much the same state and condition in which New Zealand was 25 or 30 years ago; and, with the experience of New Zealand before them, it behoved Her Majesty's Government to look all round the subject, and not to prejudge it or come to any hasty conclusion upon it. He was, from week to week, awaiting the Report of the Commissioners. Until that Report was in their hands, and they were able to judge of the arguments and information it contained, it would, he conceived, be premature to express any opinion upon that which he regarded as a very important question.

Copy of a letter addressed to Commodore Goodenough, R.N. and E. L

Layard, esquire, Her Majesty's Consul in Fiji, instructing them to report upon various questions connected with the Fiji Islands; with enclosures: *Presented* (by command), and ordered to lie on the Table.

House adjourned at a quarter-past  
Seven o'clock, 'till To-morrow,  
Half-past Ten o'clock.

## HOUSE OF COMMONS,

*Monday, 20th April, 1874.*

MINUTES.]—SELECT COMMITTEE—East India Finance, *appointed and nominated*; Explosive Substances, Mr. Arthur Vivian *added*; Adulteration of Food Act (1872), *appointed*; Jury System (Ireland), *nominated*.

SUPPLY—*considered in Committee*—GRANT TO SIR GARNET J. WOLSELEY, K.C.B., G.C.M.G. (£25,000)—NAVY ESTIMATES.

*Resolutions* [April 17] *reported*.

*Ordered—First Reading*—Land Tax Commissioners Names\* [76]; County of Hertford and Liberty of St. Alban\* [77].

*Committee*—Harbour of Colombo (Loan)\* [66]—R.P.

*Committee—Report*—East India Annuity Funds [30]; Harbour Dues (Isle of Man)\* [65].

*Third Reading*—Mutiny\*; Marine Mutiny\*.

### CONTROVERTED ELECTIONS—STOCKPORT.

MR. SPEAKER informed the House, that he had received from Mr. Justice Mellor, one of the Judges selected for the Trial of Election Petitions, pursuant to the Parliamentary Elections Act, 1868, a Report relating to the Election for the Borough of Stockport. And the same was read, to the effect following:—

"I beg to report that the summons for leave to withdraw the said Petition came on to be heard before me this day, and that no person claiming to be intitled having applied for leave to be substituted for the Petitioners, and I being satisfied that the withdrawal of such Petition was not the result of any corrupt arrangement or in consideration of the withdrawal of any other Petition made an order for the withdrawal of the same."

### SCOTLAND—POLICE FORCE IN BURGHS. QUESTION.

MR. GRIEVE asked the Secretary of State for the Home Department, If he contemplates introducing any measure this Session to confer additional powers or duties on the Police Force in Burghs in Scotland; whether it is contemplated to establish a superannuation fund in

the Burgh Force, as recommended by the Select Committee of the House of Lords in 1867-8; and, whether he has fully considered a Circular from the Home Office, dated December 1873, restricting any member of the Police Force from being employed as Inspector of Nuisances; or, if so employed, to be disqualified from participating in the "Grant in aid of Police Expenses?"

MR. ASSHETON CROSS in reply, said, as he understood the first part of the Question, it referred not so much to the grant of additional powers and duties to the police in burghs as to the extension of the powers and duties which they had within a burgh to pass to a county outside the burgh. That opened a much larger question. He thought from the representations which had been made, that it would be very easy to give them power as to the seaboard, but the question with reference to power inland was more serious, and was at present under the consideration of Her Majesty's Government. As to the part of the Question about establishing a superannuation fund, the subject of superannuation of the English police was at present under the consideration of Her Majesty's Government. The hon. Gentleman would remember that the Select Committee of the House of Lords in 1867 reported very strongly that any superannuation in Scotland should be paid by the public either by means of rates or out of a burgh fund. That matter required very serious consideration, and it was not his intention to introduce a measure on the subject. As to the third part of the Question, he found that opinion in Scotland was almost entirely in favour of cancelling the Order issued by the Home Office in December, 1873, and of returning to the former Order of the Home Office; and he was quite willing to cancel the Order made in December.

### ARMY—THE ASHANTEE EXPEDITION —THE CRIMEAN WAR—WAR MEDALS.—QUESTION.

COLONEL BARTTELOT asked the Secretary of State for War, Whether it is correct that a Medal for the Ashantee Expedition is to be given to all Officers, Non-Commissioned Officers, and Men who were sent out to Cape Coast Castle; and, if so, whether as a simple act of

justice, it is proposed to give a Medal to all Officers, Non-Commissioned Officers, and Men who landed in the Crimea on and after September the 8th, 1855, up to the armistice in March 1856?

MR. GATHORNE HARDY, in reply, said, his hon. and gallant Friend was correct in supposing that a medal was to be given to all officers, non-commissioned officers, and men who were sent out to Cape Coast Castle between the 13th of June, 1873, and the capture of Coomasie, and not beyond that. In the case of the Crimean War the grant of a medal was limited to those who landed in the Crimea before the 9th of September, 1855, the day on which Sebastopol was taken. No medal was granted to any one afterwards, except he was engaged in a special service, which was specified in the Order, such as was instanced in the capture of Kinburn. The hon. and gallant Gentleman must excuse him (Mr. Hardy) if he declined to be bound by the matter of the Crimean medal, with which he had nothing to do, when considering the case of Ashantee.

#### IRELAND—THE GRAND JURY SYSTEM. QUESTION.

MR. ERRINGTON asked the Chief Secretary for Ireland, Whether the Government intend bringing in any measure this Session to reform the Irish Grand Jury system?

SIR MICHAEL HICKS-BEACH, in reply, said, it was not his intention to bring forward any measure that Session, but he was quite aware of the importance of the Question, and of the desire very widely felt for an amendment of the present law, and he hoped to be able to give such consideration to the subject during the autumn as would enable him to introduce a Bill on it next Session.

#### RETURNS—TURNPIKE TRUSTS (SCOTLAND).—QUESTION.

SIR ROBERT ANSTRUTHER asked the Secretary of State for the Home Department, When the Returns moved for by him upon the 3rd and 7th of April 1873, relating to "Turnpike Trusts" and "Roads and Bridges" in Scotland, and ordered by the House to be prepared, will be laid upon the Table?

MR. ASSHETON CROSS, in reply, said, the Return moved for by the hon.

Baronet on the 3rd of April, 1873, had been prepared, and was at the present moment in the Home Office. It had been waiting there until the other Return, ordered on the 7th of April, also should be prepared. However, he had given instructions that it should be presented at once, and it was now in the hands of the printers. As to the Return moved for on the 7th of April, it was necessary to write to about 170 Road Boards, and answers had been received from only 145. The clerks of the Road Trustees were not Government officials, and the Returns could not be got with the same despatch as they could be got from Government officials, because there were no means of recompensing the clerks of the Trustees for the trouble to which they were put.

#### METROPOLIS—THE VACANT LAND IN ABINGDON STREET.—QUESTION.

SIR CHARLES RUSSELL asked the First Commissioner of Works, Whether is included in the Estimates any sum for the purpose of levelling or placing in a less unsightly condition the plot of land in Abingdon-street, abutting on the south side of the Victoria Tower, which has so long been left in a neglected state; or if any plan has been determined upon for utilising the same?

LORD HENRY LENNOX: My hon. and gallant Friend is probably aware that the houses were bought and the plot of ground in Abingdon Street was cleared about eight years ago. The purchase was made chiefly to protect the Victoria Tower from the danger of fire. Before deciding upon any plan for levelling or laying out the ground, it was necessary that the Embankment should be proceeded with, and a sum of £10,000 for that purpose appears in the Estimates. Tenders have been invited and sent in, and one has been recommended by me for the acceptance of the Treasury. The work will take about 14 months, and until it is nearer completion it appears unadvisable to give an opinion as to what should be done with the site.

#### METROPOLIS—LABOURERS' DWELLINGS, SOMERS TOWN.—QUESTION.

SIR SYDNEY WATERLOW asked the Secretary of State for the Home Department, Whether his attention has

been called to the Midland Railway (Additional Powers) Bill, by which the Midland Railway Company propose to take possession and appropriate to their purposes about fourteen acres of small houses in Somers Town, Saint Pancras, almost entirely occupied by the labouring population, without making any Return of the number of families to be evicted, or setting aside any of the land for the reconstruction of houses for the working classes, as required by Parliament on the passing of the Metropolitan Streets Improvement Act, 1872?

MR. ASSHETON CROSS: Sir, my attention has been called to the Bill which was brought in by the Midland Railway Company, and I have received a communication from the solicitor to the company. I am happy to say that the company have consented to strike out of the Bill the provision relating to the land on which the houses referred to by the hon. Baronet are built. Therefore, that part of the Bill will not be proceeded with at all this Session; and, if they bring in a Bill in the course of another Session, they undertake to ask for compulsory powers in the event of their wishing to have the land, so that they will be brought practically under the Standing Orders Committee of "another place."

#### ARMY—ADJUTANTS OF MILITIA. QUESTION.

MR. NAGHTEN asked the Secretary of State for War, If, inasmuch as Adjutants of Militia have been gazetted to the rank of Captains in the Army, their widows are entitled to pensions?

MR. GATHORNE HARDY: Sir, those officers who have been so gazetted have received temporary rank while serving in the Militia, in order to give them due authority over the soldiers. As, however, they are not in the Army, their widows are not entitled to pensions.

MR. NAGHTEN thereupon gave Notice that he would, on an early day, call the attention of the House to the position of Adjutants of Militia, and move a Resolution on the subject.

#### CIVIL SERVICE WRITERS—SICK LEAVE.—QUESTION.

SIR CHARLES W. DILKE asked the Chancellor of the Exchequer, Whether  
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it is true that, while some Civil Service writers are allowed sick leave, and pay during sick leave, others, such as the old writers in the Customs, have their pay stopped during absence by sickness, and have no provision whatever for sick leave?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I understand that the writers employed in the Customs consist partly of persons taken from the register of the Civil Service Commissioners and partly of people nominated by the Customs Commissioners. I am informed that both classes of writers are allowed sick leave with pay, though on different terms, and that the old writers were asked by the Board whether they wished to exchange their terms for those which were to be applicable to the rest of the writers? Only one accepted the offer, and all the others declined.

#### IMPRISONMENT FOR DEBT—LEGISLATION.—QUESTION.

MR. M. T. BASS asked the Secretary of State for the Home Department, Whether he is prepared on a convenient opportunity to introduce a measure to remedy the admitted defects of the Law of Imprisonment for debt?

MR. ASSHETON CROSS, in reply, said, that after the difference of opinion which had been expressed he could not adopt the phrase "admitted defects of the Law;" but if the hon. Member would suggest a remedy that was not on the lines on which his Bill was drawn, he would give the subject due consideration.

#### ORDNANCE SURVEY—THE 25-INCH SCALE.—QUESTION.

MR. RYDER asked the First Commissioner of Works, Whether it is the intention of the Government to ask the House to vote such a sum of money for the Ordnance Survey on the 25-inch to the mile scale as will suffice to complete it without further delay, so as to provide a national Map of Reference for Land Registry?

LORD HENRY LENNOX, in reply, said, that there was in the Estimates of the year, an excess of £2,790 on the Vote for the Ordnance Surveys. He believed that both his predecessors—Mr. Ayrton and the right hon. Member for Clackmannan (Mr. Adam)—had in dif-



ferent ways tried to obtain a further advance for this object, but had not succeeded. When the next Estimates were considered he would bear in mind the wish expressed by his hon. Friend the Member for Salisbury, and endeavour to meet it as far as he could.

NEW PALACE AT WESTMINSTER—  
SUBWAY TO THE HOUSE OF COMMONS.  
QUESTION.

MR. GRIEVE asked the First Commissioner of Works, When he will be prepared to re-open the subway to the Metropolitan District Railway Station?

LORD HENRY LENNOX: Sir, the hon. Member is probably aware that the works connected with the Subway are being carried out by the Metropolitan District Railway. I was in hopes that the permanent subway would be ready by this time. I have ascertained, however, that some time will yet elapse before it is finished, and, feeling the great inconvenience to which hon. Members would be subject owing to this delay, I have requested that a letter may be written to the authorities of the Metropolitan District Railway urging them, until the larger work is completed, to re-open a temporary subway, which I am assured by the professional advisers of the Board of Works might be completed in a week.

WAYS AND MEANS — DUTY ON REFINED SUGAR.—QUESTION.

MR. GRIEVE asked Mr. Chancellor of the Exchequer, Whether he will consent to the abolition of Duty on Refined Sugar taking effect on the 10th of June instead of on the 21st of May next?

THE CHANCELLOR OF THE EXCHEQUER: The hon. Gentleman asks me, in pursuance of the Notice he gave on Friday last, whether I can consent to the abolition of duty on refined sugar taking effect on the 10th of June instead of on the 21st of May. As I mentioned to the hon. Member on Friday, I named the 21st of May on the advice of the officers of Customs, not having then had any opportunity before I made my Budget Statement of communicating with gentlemen connected with the sugar trade. I promised to consider the subject between Friday and Monday, hoping that if I made such a public announcement,

I should receive some communications on the subject. The result was that all through Saturday I received an enormous number of telegrams from all parts of the United Kingdom, and the immense weight of evidence is against any alteration in the date fixed. I am afraid, therefore, I cannot make any change without causing more public inconvenience than I should do good to those for whom the hon. Member is interested.

METROPOLIS—HYDE PARK AND KENSINGTON GARDENS.—QUESTION.

MR. THOMPSON asked the First Commissioner of Works, If he will open the drives in Hyde Park and Kensington Gardens to public conveyances between the hours of 7 and 9 p.m. during the summer months?

LORD HENRY LENNOX, in reply, said, he must first apologize for his unavoidable absence from the House on Friday last. He wished to point out that, apparently, the hon. Member was under a misapprehension, as there were, in fact, no drives in Kensington Gardens. The only part which came under that category was the road between Queen's and Alexandra Gates, which was annexed to Kensington Gardens at the time of the building of the Memorial to the Prince Consort. Again, the part of the Park which was available for public conveyance was open from 5 a.m. till midnight, and the introduction of public conveyances to other parts of the Park could only be effected by a new rule, which, under the provision of the Parks Regulation Act, would have to be submitted for the approval of Parliament; and, having a lively recollection of the reception which that Act met with in its passage through the House, he had no intention of entering upon such debatable ground.

PARLIAMENT—BUSINESS OF THE HOUSE.

SIR JOHN HAY, who had a Motion on the Paper relating to the Order for going into Committee of Supply directed against the expenditure of money on the building of Armoured Ships of a speed of less than ten knots, and in favour of applying it to the necessary



repairs of Iron-clads, said he would postpone the Motion to make way for the statement of the First Lord of the Admiralty if the right hon. Gentleman would consent to Votes 6 and 10, which related to shipbuilding, being postponed, so that he might have another opportunity of calling attention to the matter.

MR. HUNT said, he would accept the proposal of his right hon. and gallant Friend with regard to those Votes.

#### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

#### HER MAJESTY'S DOCKYARDS.

##### OBSERVATIONS.

ADMIRAL ELLIOT: Mr. Speaker, I rise to call the attention of this honourable House to the present condition and management of Her Majesty's Dockyards; and I should wish, in the first place, to explain to the House my reasons for bringing forward this question at the present moment, when the right hon. Gentleman the First Lord of the Admiralty is about to make his Report upon the Navy Estimates. I am fully aware that the House would be far more pleased to listen to his voice than to hear what I have to say. For that reason I should wish to put myself right with the House, and to explain to it the grounds on which I have risen before my right hon. Friend. In the first place, then, I not only speak for myself, but for a number of hon. Members on both sides of the House who are extremely desirous that their intentions should not be mistaken, and that any observations which may fall from myself or from them this evening might not be supposed to be a comment upon the Report of the right hon. Gentleman the First Lord. Had we waited until we had heard his Statement, then such an opinion might have been formed of the observations which we are about to make. Another reason is, Sir, that I hold that this House is mainly responsible for the system which now prevails in Her Majesty's Dockyards; that that system is seriously defective, and dangerously impairs the material power of the British Navy; that it has not been

founded upon any military necessity, but chiefly upon political expediency; and for this reason I think that now that in this House the military or rather the naval element is strongly represented, it is our duty, and high time to step forward and endeavour to show to this House the dangers of the system which has been pursued. Sir, the *personnel* of this House has of late been greatly changed; and for that reason, also, I contend that it is desirable that hon. Members should have laid before them, at the earliest possible moment, the condition of the Dockyards; in fact, that as trustees of that property, they should take stock of what is handed over to them before forming any judgment as regards the Navy Estimates which are about to be proposed. Again, I hold, Sir, that the observations which may be made this night will not affect the amount of the Estimates. They will not affect the amount of the Expenditure, but they will affect the mode of applying the moneys which this House may think proper to grant for the support of the Navy of this country; and I therefore think that those observations, coming before the Statement of the right hon. Gentleman the First Lord, may enable him to judge whether in the mode of applying the amount of money that may be voted he may not see, in this earliest stage of his administration, the means by which something may be done towards remedying the evils which I am about to complain of. Another reason for my rising is that I consider the system has completely broken down as shown by the important changes which have taken place since the right hon. Gentleman the Member for the City of London (Mr. Goschen) became the First Lord of the Admiralty. I trust that my right hon. Friend the present First Lord of the Admiralty will believe me when I say that all hon. Members of this House who belong to the naval service of the country have entire confidence in him. More than that we are pleased to think and to know that he brings to the office of First Lord of the Admiralty a practical turn of mind. We feel that the Navy has been too long dealt with theoretically, and we are glad to think that we have at the head of the Department a Gentleman who comes without prejudice to his work, and who, I believe, will bring practical

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views to bear in its performance. I have no doubt that he would make inquiries for himself, but surrounded as he is by a permanent Staff connected with the system which now prevails, I think it is unnatural to suppose that he will have these errors which I am about to point out brought before him by others so readily as he will be likely to hear them from me—the permanent Staff would be more likely to stifle than promote inquiry. On that point I would like to quote an expression, in which I perfectly agree, which fell from the right hon. Gentleman the Member for Halifax (Mr. Stansfeld), but who I regret is not now in his place. He said before the Select Committee of 1861—

“There is beneath, in the lower regions of the Department, the *vis inertiae* and the resistance of the great superstructure of officialism, that permanent, obstructive, and irresponsible body which so largely controls the Board, and represents so many external private interests the motive cause of so many indefensible jobs.”

If this existed in a Department the heads of which were old and tried servants of great experience—who had not been selected under one Government, but under each as it came into power—is it not likely that the permanent Staff of this Department, which I may say is almost entirely indebted for its existence to the late Government, would offer still greater resistance to the First Lord than that described by the right hon. Gentleman the Member for Halifax? I expressed the opinion that Parliament was mainly responsible for the system that prevails in our Dockyards, and my reasons for expressing that opinion are founded on the evidence which *Hansard* affords of the debates in this House, and in the Reports of the Committees of Inquiry which have been made during the last 10 years. There was a Committee on Economy in our Dockyards in 1859, and more than 10 years ago a Royal Commission inquired into the control and management of our Dockyards. There was also a Select Committee on Admiralty Administration in 1861, and a Select Committee to inquire into Admiralty moneys and accounts in 1868. Now, Sir, these inquiries were asked for by a particular section of this House, forming a powerful party both within and without this House, and if you look through the whole of the evidence you will find there was not a single question asked

as to whether or not this or that measure affected the military power of the Royal Navy. As there is no digest of any of the evidence taken before the Committees or the Royal Commission it is difficult for me to prove my case. I have, however, waded through the evidence, and no doubt other hon. Members have done the same, and so far as I can see, the Reports are not supported by the evidence. I see pervading all the inquiries nothing but an effort to disparage the Dockyards, and that the object to be attained was simply what I call disestablishment, and also to confiscate the moneys from their legitimate purpose—namely, that all the money voted for Dockyards should be spent within the establishments, and not for the benefit of the private trade of the country. I shall be able to show many good reasons why it should not be done. In calling it disestablishment, I mean that the labourers in the Dockyards, instead of being established men, in the service of the Crown, are hired men able at a week's notice to leave the work on which they are employed. In Vote 6, to be proposed this year, it will be found that for the Dockyards there was to be a sum of £1,180,376 asked for, while no less than £1,851,067 was to be distributed among the contractors of this country, so that half of the whole amount proposed to be voted, nay the larger half, would go into the pockets of the private shipbuilders. I do not know whether I may say that coming events cast their shadows before, but I found a very startling statement on the Dockyard question in *The Times* newspaper of the 4th inst.—

“Happily we have outlived at least one of our troubles in these matters. There is no longer any ‘Dockyard mystery’ to irritate economists and perplex the public. We no longer hear much even of Dockyard extravagance.”

Feeling that it is an inspired article is the reason why I have quoted from it, and I am not surprised to find that at last those who have brought our Dockyards almost to a state of disestablishment should wish to be allowed to “rest and be thankful.” We have had signs of disestablishment in Woolwich and Deptford Dockyards. I was at Pembroke the other day, and it looked very much to my mind, as a Dockyard officer, as if Pembroke is to follow in the same direction. I also see the same

signs at Sheerness, and when I hear of a civilian superintendent, and when I know as a fact that the great originator of the system which now prevails had actually recommended to the Admiralty that all the men in the Dockyards should be disestablished, that the establishment should cease altogether, and that we should trust entirely to hired labour, I say that I am justified in the supposition that I have expressed. If we look to the United States of America, and if we turn to the evidence and the Reports of the Secretary to the Navy you will find there what America has experienced during the late War ought to be a warning to this country. I have referred to these Reports because we are often called on to look to the United States as an example. I have stated that in my opinion the present system has proved most fatal in its results, and a noble Duke has stated in "another place," that our Dockyards are the backbone of the Navy, and that if we wanted a test of the material power of those establishments we could not do so better than by counting the number of men on the establishment lists. Now, I believe that this House will agree with me that the noble Duke is an authority on naval affairs, and whilst on one side he tests the material power for war of these establishments by the number of established men on the lists of the Dockyards, we have the late Controller of the Navy actually recommending to the Board of Admiralty to disestablish the Dockyards altogether. In the Estimates for this year, I find that we have on the establishment lists the names of 6,080 men, and on the hired list, 8,220 men, and taking the amount of money which it is proposed to spend in building ships by contract, and having taken the opinion of a very efficient officer who has given me the number of men required for that purpose at 4,000, there are 18,300 men to be employed this year in building and repairing Her Majesty's ships, out of which 6,000 only are on the establishment. Is not this, I ask, partial disestablishment? But, Sir, I shall come to that subject again presently. I have said that this is an opportune time for bringing this subject before the House, and I would wish to explain my reasons more fully with regard to it. At the late Election hon. Members on both sides of the House in their addresses to their con-

stituents deemed it a very popular thing to advocate the maintenance of Her Majesty's military and naval establishments. Now, Sir, I ask any hon. Member who is likely to reply to me to-night, what is meant by maintaining the establishments of the Crown? Is it to be done by hired men who will be at liberty to leave their work any day they like, or does it not mean to maintain these establishments, as they have hitherto been maintained, by engaging the permanent service of the working-classes? If these addresses were favourably received by the constituencies, I have a right to claim from this House—returned, and as it were pledged, to maintain these establishments—that they should look well into this question and see whether these establishments, as at present existing, are in that state of preparation for a sudden outbreak of war that they ought to be; that they are intended to be; and which I believe the country believes them to be from the representations that have been made. Another reason why I think it expedient that this subject should be discussed thus early and before the Navy Estimates are taken into consideration is, as I stated just now, that in my opinion the system which has been introduced has completely broken down—the system originated out of the Royal Commission of 1861. At any rate, we have it in evidence on the loss of the *Megara*, and we have heard it from the right hon. Gentleman the Member for Pontefract (Mr. Childers) that he took the advice of the late Controller of the Navy, and that he carried out his scheme with regard to Admiralty reform almost entirely in its details. The right hon. Gentleman could have done nothing else I suppose in a matter of the kind than to take the advice of his naval colleagues. The system is fully stated in the Report of the Royal Commission of 1861, and it says—

"The control and management of the Dockyards is inefficient. This inefficiency may be attributed to the following causes:—1st, the constitution of the Board of Admiralty; 2nd, the defective organization of the subordinate departments; 3rd, the want of clear and well-defined responsibility; 4th, the absence of any means, both now and in times past, of effectually checking expenditure, from the want of accurate accounts."

The Report recommends, with a view to remedying these alleged defects, that a

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Minister of the Navy Department should be appointed; and it goes on to recommend the appointment of a Controller General, who should have almost unlimited power over most of the establishments connected with the Admiralty. It so happens that this system was introduced and carried out under the most favourable auspices as regards the late Controller of the Navy, inasmuch as he himself was appointed Controller General. What occurred? We were told that the first advantage to be derived by the change was direct responsibility. A most lamentable occurrence happened shortly after the loss of the *Captain*; and what did we find? Why, we found that the Controller General threw the responsibility on the shoulders of the First Lord of the Admiralty, and up to this day it has never yet been brought home who was responsible for that sad affair. I am not going to leave anything in doubt with regard to my opinion. I speak in the presence of the right hon. Gentleman the Member for Pontfract. Captain Coles was a great friend of mine; and I for one consider it was a cruel injury to endeavour to settle the responsibility on the shoulders of the right hon. Gentleman. I hold him entirely irresponsible. I also hold that Captain Coles was irresponsible, for it can be proved in the numerous letters that he wrote that he positively refused to have anything to do with the naval architectural qualities of that ship. I shall say no more upon that subject, except that it shows that the system broke down in one of the first recommendations made—namely, the establishment of direct responsibility. Then, also, in the case of the *Magæra* it was impossible to establish direct responsibility. It is only to look into the working of the other portion of the system to see that it has also broken down. I am aware that this is not an interesting subject to this House; but I have a duty to perform. I know that I have difficulties to encounter, and to contend against vested interests which are strongly represented here and also outside the House. Sir, the chief objections which I hold to the present system are the transfer of the work to private firms; the hired system of workmen; the redundant accounts and returns; and the insufficient stock in hand of imperishable stores. The right hon. Gentle-

man the Member for Montrose (Mr. Baxter) will not, I am sure, feel hurt if I attribute in a great degree to him the carrying out of a system of accounts, and of the store supply of the Navy. The right hon. Gentleman has expressed himself strongly upon the satisfactory results obtained by that system. He has spoken of measures which he designates as being of a magnitude and importance unexampled in history; and has said that his consolation for the change of opinion which had been exhibited by the late Election was that not one of those grand achievements would ever be called in question. Well, Sir, I am afraid I have already commenced to call in question one of those "grand achievements;" and I say that the fault, as it appears to me, lies entirely in the misconceived notion that the Dockyards are to be dealt with as commercial establishments, and in the fact of legislators having lost sight of the military element which, in all matters connected with these departments, ought to be first considered. I will refer to these establishments under two heads—first, as regards their *matériel*; and, next, as regards their *personnel*; and, in each case, I think I shall be able to prove that neither as to economy nor efficiency is the present system at all satisfactory. Now, Sir, these Dockyards are very valuable property. If you were to capitalize them, their value—without overstating the case—would be between £50,000,000 and £100,000,000. They are placed in trust of this House; and this House appoints stewards to take care of that valuable property. Now, if they are to be dealt with as commercial establishments, would not commercial men consider it their duty to endeavour, to the utmost possible extent, to turn that vast property to the most profitable account? Would they not try, in every way, to realize the largest amount of profits out of those establishments? If they received orders to build ships, would they hand them over to other firms—to that of the hon. Member for the Tower Hamlets (Mr. Samuda), or any other firm of shipbuilders? Would they pay interest on the capital of that private shipbuilder, while they allowed their own property to lie fallow? A great question is involved, and it is this—You have from 50,000,000 to 100,000,000 of money, and the more



work you can do, the more likely you are to pay a profit upon the capital invested; but if you take only half the work you could do, and have the remainder done by private firms, are you not betraying your trust to this country? I am not a financier, but I can understand that; and I want to know how it is that the present state of things has been brought about. I shall presently hear some reason advanced for it, I dare say; but, as yet, I have not heard a good reason why we should deal with these establishments, if they are to be treated as commercial concerns, differently from what any commercial man would deal with his own establishment, or with his own capital, if it were invested in property of this kind. Supposing there were no great shipbuilding firms on this side of the channel, and there were such firms on the other side, would this House be prepared, for a moment, to hand over to the shipbuilders of France and Belgium the building of ships which now fall into the hands of private contractors in this country, so long as we had plenty of space in our Dockyards? I say, No, Sir. Why, then, should we do it to contractors in this country, if it is not done for the purpose of benefiting a particular class of trade? Sir, I have heard this side of the House accused of class legislation; but if that is not class legislation, I do not know what it is. It is only one class that is benefited—namely, the great shipbuilding class of this country—the great contractors for stores in this country; while all the rest of the community suffers. If you deteriorate the value of your property—if, in fact, you put money, which ought to go into the public Exchequer, into the pockets of a particular class instead, then I maintain you are neglecting your duty—those who are acting as stewards of the property, are neglecting their duty to this House, and the Board of Admiralty, who are the stewards, will have to render an account of their stewardship. I have heard as one reason for this—that you ought to train the men, in these establishments, in the art of building ships-of-war. Now, Sir, is there any hon. Member of this House who would get up and say that if a war broke out to-morrow, we should have time to build one of our large ships before the war was ended? The war would, in all probability, break out with sudden-

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ness, and end with equal suddenness; and I question whether, even within a fortnight's time of the declaration of war, the supremacy of the sea would not be decided in the Channel if the war were with any of the European maritime Powers. In what condition do you now find your Dockyards? You find them, in some of the most important elements of storage, with not six months' stores; and if two or three ships were commissioned to-morrow, you would not have enough to supply them with. Out of 18,000 men employed you have only 6,000 in the establishment. The other 12,000 are trades unionists. Your factories are full of trades unionists; and they have told you as much in the memorials they have sent to the Admiralty. These very men have actually come forward to teach the Government what they ought to do, and why they ought to do it. They say—"Place us on the establishment;" and they have given their reason why they should be so placed.

MR. SHAW LEFEVRE: What is the date of the memorial to which you now refer?

ADMIRAL ELLIOT: It was presented in 1859. There was more than one memorial addressed to the Committee on Dockyards from workmen at Portsmouth and other yards, all of them being equally strong. Here is one from Portsmouth. It states that labour being a marketable commodity those obtain the best description of work who pay the best price for it and hold forth a prospect of permanent employment, and that the Government by adding superannuation would obtain what is most desired by masters—namely, good, steady, and industrious workmen. I will not trouble the House further on this point as the Report of the Committee is in the hands of hon. Members; but I may observe that the memorials from these workmen show in every way why they consider it desirable for the benefit of the country at large that they should be placed on the establishment. Before I was asked the question to which I have now given an answer, I was remarking on the difficulty in which we might be placed in the event of war by the present system pursued at the Dockyards with regard to our unprepared state for war. If you look back to the Crimean War, you will find that the Russian fleets were blockaded during the whole war. And



why? Because we produced an overpowering naval Force at the very commencement of the war, and they never dared to come out to sea. What would occur if the Dockyards were left as they are now? You have 6,000 men on the establishment, and you have 12,000 hired men; 8,000 of these being in your Dockyards, and 4,000 out of them. By doing away with the hired system you would have a force of 18,000 workmen, skilled and disciplined, in your own Dockyards, available for any emergency. It would not cost you a penny this year, the only eventual cost being, that you would have to pay the men their pensions earlier than they receive them at present. Are you not helping to make the men discontented when, giving them what is called a pension, you do not count time for it till they reach the age of 40 years? It is a farce to tell them they will have a pension under a rule like that, for a man might be 15 years on the hired list before being put on the establishment, and hired time does not count for pension. It is a farce to say that a man shall have a maximum pension of £60 a-year when he has reached the age of 60 years, when at the same time you prevent his serving long enough to obtain it. Suppose you do not put these men on the established list, and a war breaks out, what may happen? They will probably strike to a man for higher wages. This has happened before; and to a certain degree I was the cause of it. Not many years ago I was visiting the French naval forts, and observing the great activity going on there, I came home at once and acquainted the First Lord of the Admiralty with the fact. A Supplementary Vote was taken; and the *Achilles*, the largest ship we then had building, was ordered to be hastened forward. The workmen got the hint that something was wanted, and they immediately struck for wages. They knew there was some threatened danger, and they turned the occasion to their own advantage, as they thought. What had we to do? Rather than hold to these men who struck for wages, we discharged them, and we put in their place the established shipwrights—all of them experienced only in wooden ship-building—and they built the *Achilles*; and the First Lord of the Admiralty complimented them on the excellency of their workmanship. It is worthy of remark

that Dockyard men have never been known, on any one occasion, when placed on the establishment, to threaten to break their contract with the Government. They have been loyal to the Government at all times—in peace and in war, and have never, during war-time, talked of higher wages. Therefore I say that the difference between the efficiency of our naval administration now, and what it would be if the men were all placed on the established list, is beyond description; the advantages would be so incalculable to the Government and the country. If you are going to keep up the hired system, my experience induces me to say that you had better at once commercialize the Dockyards altogether, and hand them over to the private firms. Where your men may discharge themselves at a week's notice, you cannot have proper discipline. You are even obliged to submit to bad workmanship. First of all, you do not get skilled workmen to enter. I have ascertained from officers in the Dockyards that they get an inferior class of men—that is to say, less skilled. "We have to put him to machinery," said my informants, "when he first comes to the factory, and we have to teach him his work; and after being there a few years, he becomes a skilled workman. If you do not give him exactly what he wishes for—if you do not put him on the highest rate of pay—he goes off to a private builder's yard, and you have to begin again with teaching unskilled men." In fact, these factories are nurseries for the private trade. Another objection is this:—Out of the 8,000 hired men, you have no selection for officers. You make your selection only from the established list. The men on the hired list are certainly expecting to get on the established one; but "Hope long deferred makes the heart sick," and no wonder there is discontent in the Dockyards. They have not the same social position in the town where they live, nor do they enjoy the same credit that the established men command. Therefore, in every sense of the word, it is desirable that the hired system should be discontinued. I fear I am wearying the House, but I trust that as this is the first time I have had the honour of addressing it, hon. Members will grant me that indulgence which they are always generously disposed to give on such occa-

sions. By this system of subsidizing the private trade, the Government get no return for it, except it be an inferior article, and that not at a less price. I have read all the Reports on the subject, with a view to ascertain whether we get the work done at a less price than we could do it for ourselves; but I find that exactly the contrary is the case, and I hold that, unless you add to the price of labour and material some extraordinary percentage for what is called "Establishment charges," it cannot be possible that the cost should be greater in the Dockyards than it is. I know that complaints have been made that Dockyard men on daily pay have been found skulking, and that it has been said supervision was wanted to prevent that. But what did they do at the very time they complained of the want of supervision? They took away the Inspectors from the Dockyards. In the present Estimates I find a charge of £10,000 to be devoted to defraying the expenses of Inspectors to watch the building of ships in the private yards; so that you take away your own supervision and hand it over to the private firms. These Inspectors must necessarily be men of great discernment to be capable of watching building operations in private shipyards. In one of these yards, which I visited the other day, I found that a ship was being built there entirely under sub-contracts, the sub-contracting parties being, for the most part, men who had risen from the ranks, with little or no education, and having undergone no competitive examination. They were men with a turn for making money, and after taking these sub-contracts they employed the labour. There were some 20 or 30, perhaps as many as 40, sub-contractors engaged on that vessel—every man interested in doing his work in such a manner as to make the most profit for himself. I maintain that you do not get the work done cheaper in the private shipyards. It is only due to those professional officers who are experienced in these matters to say so. I was once Superintendent of a Dockyard myself; and I found by my experience that you do not get a cheaper article in the private dockyard. But suppose, for the sake of argument, you do get as cheap an article, there are several reasons why the present system should not continue; and some of them I have

already mentioned. As regards the perfection of the workmanship, we have only to refer to the evidence of all experience, and we ought to have learnt a lesson in the loss sustained on the gunboats in the Crimean War. It was only the other day that I received a letter from Bermuda; and as it is dated the 11th January, it is evident that the letter was not prepared for the present occasion. It is written by an officer, and he says that—

"The captain has been on shore for the last fortnight on account of his cabin being in such a defective state, all around it, there being nothing but dry rot." (The vessel is Her Majesty's ship *Niobe*.) "But consider the *Plover*—Commissioned the same day as this ship, she was so rotten that she had to be patched up in order that she might be sent home with safety."

MR. GOSCHEN: What date is that letter?

ADMIRAL ELLIOT: The 11th of January.

MR. GOSCHEN: This year?

ADMIRAL ELLIOT: This year; either in January or February, I cannot make out which. The writer goes on to say—

"Our boilers were in such a bad state that our stoker actually put his fingers through while he was feeling for something the other day."

MR. GOSCHEN: Was she a contract-built ship?

ADMIRAL ELLIOT: I believe she was. But if she was not, the case still shows that our stores were so defective that, for the first time in the history of the Navy, we built ships with bad timber. Now, Sir, I have dealt with the *matériel*; and I next propose to refer to the *personnel* of our Dockyards. I have said that the fluctuating number of workmen at the Dockyards, taking the average of the past few years, may be put down at 2,000 or 3,000; and what I suggest is that, out of the total number of 18,000 men employed, 15,000 of them might be placed on the Establishment. That would make our Dockyards three times as powerful as they are at present, according to the opinion of the noble Duke I before referred to, besides the advantage to the Government and the country of having the men under control: and I regard the question of discipline as a most important one. The only mode of punishing a workman is to keep him from coming into the dockyard for a few days, or discharge him. But if the workman is a hired one, you have no control over him whatever.

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Only a short time since an occurrence took place in a private building yard, which might as easily happen in one of our own Dockyards. The officer whose duty it was to superintend such matters, went to complain of some rivets that had been improperly secured, and he was nearly "lynched" by the workmen before he left the yard. During the Russian War the workmen received 10s. and 15s. a-day, and their demoralized state, when they were receiving those wages in the private yards, was such as to offer an example to us that we ought to provide against. I believe I shall be borne out by the recollection of hon. Members when I say that those men were in such a demoralized state that it was only with great difficulty the private shipbuilders could get their contracts completed. The question is, whether you would have such men to deal with in case of war, or disciplined, skilled workmen, who would never fail in time of need? Now, Sir, I am told that, independent of the question of cheapness of work, and independent of the question of teaching shipbuilders in the private trade to build men-of-war, we should encourage the growth of plant in private yards. But surely it would be better to put the plant into our own yards. The argument is this—"If you employ private builders, they will enlarge their establishments; they will get more plant into their yards, and will be more ready to serve you at the outbreak of war." But why should we not put the plant into our own yards? It is curious that the annual requisition of the officers for machinery to make the Dockyards more productive, is a requisition that is always scratched out at the Admiralty; and I have ascertained within the last few days that it was intentionally done. Not only are we disestablishing the Dockyards, but they are intended gradually to become simply repairing yards, or perhaps there might be a ship or two built in them. If you go down to Portsmouth, Devonport, or Chatham, you walk almost through a wilderness, so little seems to be going on; and at Keyham we have 14 acres of boiler ground not utilized, while we are paying 20 per cent more to contractors than we can make boilers for ourselves. I have that on the very highest authority, and I could name other stores which, as regards the comparative cheapness of

manufacture, have been tested very closely; and the evidence was much in favour of the cheapness of manufacture in the Government establishments. If that be the case, the three points of objection raised to the Dockyards have fallen to the ground; but I will leave some of my supporters to deal with those questions further when they are raised. As regards plant, there is a further point connected with the docks. I was at Pembroke the other day, where the *Fury*, one of our largest ships is building. A requisition was made that the Dockyard authorities should be allowed to widen the bottom of the dock in order that the *Fury* might be completed there, because she could not be so completed on account of the dock being too narrow. An estimate was made—it was very small in amount—and yet it was refused. That ship will have to be sent from Pembroke to another yard. All the iron plates are to be bent at Pembroke, and then the plates and the vessel will be sent to another yard where she will go into dock in order to have these plates put on. Then she will return to Pembroke to be finally completed; and the expense of all that will be quite as great as the cost of enlarging the dock at Pembroke would have been. I ask, why these refusals are given? Is it in pursuance of the system of disestablishing our Dockyards, and of going to war in future by contract. In regard to dock accommodation, it has been known that, even in times of peace, ships have been compelled to wait a considerable time in order to get into the docks. At Sheerness there is a deep water inlet of the sea admirably situated for the repair of any North Sea Fleet; and by an arrangement of having two docks thrown into one, you would have a deep water dock that any ship could go into even if she were sunk below her usual waterline. I see no attempt made in that direction; but I see great centralization at Chatham. I question now whether, looking at all things, it would not have been wiser to have retained Woolwich Dockyard. Chatham is not too large for our wants if we only utilized the place; but while we are going on employing private contractors, I cannot see why we should have enlarged the Dockyard at Chatham. Another feature of this system is the breaking up of ships. We have been breaking up ships by contract,

or we have been selling them to be broken up. The Report of 1868, which goes fully into this subject, appears to have been totally lost sight of, and we are still pursuing the old system. Here is a case which came to my knowledge yesterday. A vessel, perfectly sound—the *Pelican*—was sold for £5,000; and she was re-sold to the Portuguese Government for £40,000. It was always known that, in the breaking up of ships, the price of the wood paid for the work.

MR. SHAW-LEFEVRE: When was the *Pelican* sold?

ADMIRAL ELLIOT: The information is contained in a Return asked for by the hon. Member for Lincoln (Mr. Seely) in 1867.

MR. GOSCHEN: In 1867?

ADMIRAL ELLIOT: If the right hon. Gentleman is inquisitive, he will find all the information contained in the correspondence. These vessels were often sold for a small sum, and the Government sometimes bought back the copper which was taken from them. There was one case in which we sold a vessel for £300, and then paid £1,500 for the copper upon her; and, as the late Controller is reported to have said, it would have been better to have burnt the vessel, and allowed the copper to fall out in the Dockyard. The breaking up of these ships is a valuable feature in the Dockyard. It occupies labour; it increases the number of men you have there at the outbreak of war; and it gives them the opportunity of making higher wages, because you can break up a ship by task and job work. It is work to which you can put your men at any time if you happen to have a slack week or so; and yet these vessels have been sold wholesale to the private trade in the manner which I have described. There is another point to which I wish to allude—the employment of the Reserves of our Fleet when at home in working in the Dockyards, and in performing the work which ought to be done by Dockyard labourers. I have been told lately that this is not so, because these men are employed in the Steam Reserve, and that only ships whose repairs are completed are in the Steam Reserve. But every ship that is not actually at the time being in the hands of the Dockyard is in the Steam Reserve; and these men, while in the

home ports instead of being employed for the benefit of the naval service and being instructed in their own duties, are employed in the Dockyards. I say that in employing these men in Dockyards you are doing a great detriment to the service. These men have been sailing abroad. You have them collected together at home for one year, and instead of taking that opportunity of improving their discipline and increasing their instruction, you put them into the Dockyards to supply the labour of the yards. I say that that is a most objectionable system. It is time when you have abolished hulks, even as habitations for convicts, that you should abolish them as habitations for the seamen in your Navy. I hope the question of naval barracks will soon receive the attention of Parliament; and I believe it is from want of naval support here that the subject has not before been taken up. I now come to the question of pay and pension in the Dockyards. I have said that if the men are well paid you will encourage good men to come to you. That is the best test of whether the pay of your Dockyard men is sufficient. If you find that the best class of men desire to enter the service, you may depend upon it that the men are sufficiently paid; if you find that you only get an inferior class of men you may depend upon it that they are not sufficiently paid. I am not going to deal with the question of the actual pay; but I must say here, in presence of the right hon. Gentleman the Member for the City of London (Mr. Goschen), that I believe that while he was at the Admiralty, if he had not the opportunity or power, he had the heart to have done all that he could for the good of the service with regard to the pay of the men, and that he acted to the best of his ability so far as he was advised. There were different ways of giving the advance of pay which he conceded; but it so happens that the way in which it has been done has raised old questions, and has made certain classes of men discontented. I hold Petitions in my hand from 10 different classes of workmen in the Dockyards complaining of the irregularity and injustice with which they have been treated in the late increase of pay. It was my intention to-night to have moved for an Inquiry into these matters; but looking to the advanced state of the Session, and to

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the fact that it would probably be next year before a Report could be made, I am induced not to move for a Committee of Inquiry but to be satisfied with the assurance I have received, that every just claim will be fairly considered by the First Lord of the Admiralty. Now with regard to pensions, I have a few remarks to make. I say that the men do not get the pensions which are held out to them, because you do not allow them to come into the established class until they are too old to reap the full advantage. I find by tables showing the payments required for different amounts of pensions, that a man of 21 years of age entering the Navy, can receive £40 a-year at 60 years of age, by a payment of 2½d. a-day. I find that every man in the Dockyard may be insured against accident by a payment of a halfpenny a-day, and for that he would receive £1 a-week for six months if disabled, and £100 for his family, if killed. That is, a sum of 3d. would secure for each man a pension of £40 at 60 years of age, £1 a-week for six months if he were injured, and £100 for his family if he were killed. I think this mode of dealing with the question of pensions is well worthy of the attention of my right hon. Friend. I have already said that stores are not sufficiently supplied, and as regards the question of purchase, there is no doubt that we have sold stores out of our Dockyards at very low prices, and shortly afterwards repurchased stores of the same character at high prices. I do not think that is in the spirit of economy. I think that in the purchase of stores what we chiefly require is publicity, and that if we advertised more the prices that we pay for stores, we would by that means get better stores at lower prices. I hold the joining of the offices of master shipwright, engineer, and storekeeper, to have been not only a great mistake, but to have proved a dead failure. I have often heard great economists say that the expending officer ought not to be the custodian of his own stores, but that is exactly what has been done. When I was at Portsmouth Dockyard, when ships came in for repair, the officers had to send up an estimate of the cost of repair. It was afterwards found that the estimates in some cases were exceeded, and the officers got a severe reprimand. On the next occasion, not wishing to be reprimanded, the officers opened up the

ship to make sure of their estimate, and then the expenditure upon the ship was considered to be so great that they got another reprimand. There have been, however, no reprimands of late, and on enquiring why, I was told that the officers so managed the labour and the ships' stores, that they rectified the expenditure, and everybody was contented at the end of the year. Had I been in the place of these officers I would have done the same thing. We have a book supplied to this House called the *Parliamentary Blue Book*. It costs a great deal of money. I do not know whether any hon. Member has looked at it; but I am sorry to be obliged to tell the House that if hon. Members consider that that book contains an accurate statement of expenditure they are much mistaken. It is balanced at the end, I know; but its accuracy depends entirely on the system which prevails in the Dockyard. You have stock-taking in the yards, and instead of taking stock accurately you have fallacious ledger entries. There is a short story which I will tell the House on this point. There was a master painter in one of the Dockyards whose tanks were empty of paint. He goes to the store office and says—"I have got no paint." The clerk brings the ledger and says—"No paint! You have got five tons of paint in the ledger." The painter touched his hat and observed—"I am glad you have got paint in that book, because I have got none in the tanks." It is impossible that these Returns can be correct; but as this question will come on again I shall make no more remarks on it at present. The expenditure in the Accountant General's department is £15,000 more than it was seven years ago. You have just appointed what they call a book-keeper at £800, whilst your responsible officers in the Dockyards are not receiving anything like the same salary. If a Committee had been appointed I would have been able to prove that these Returns are perfectly useless and inaccurate, and when the Vote for the Accountant General's department comes on I will propose to reduce it by £15,000. I have detained the House longer than I should have done. I wished clearly to bring before hon. Members the state of our Dockyards. I wished to show that they were in a most unsatisfactory condition, and that this was due to the



policy which had been pursued, and which I hold was intended to place them in the position of which I complain. It was intended to disestablish the Dockyards—it was intended to confiscate money from the Dockyards so that it might benefit a particular class of trade. The question of the efficiency of our Dockyards has been totally neglected; and if in their present state war broke out, there would be imminent danger to the country. I trust that this discussion will not fall idly upon the House—that we may commence a course of reaction, and return to the state of things when our Dockyards did serve their purpose as the history of many wars has plainly proved.

MR. HUNT said, he must congratulate the hon. and gallant Gentleman the Member for Chatham (Admiral Elliot) on the very able manner in which he had enforced his views, and begged to assure him that the different matters on which he had spoken would receive his most careful attention. But his hon. and gallant Friend must be well aware that it was too early in his (Mr. Hunt's) official life as yet for him to have made up his mind on the different matters which he had discussed. The question what part of the shipbuilding of the Navy should take place in the Dockyards, and what part should be performed by private contract, was one on which there were great differences of opinion. The question, also, as to what should be the proportions of hired men and established men was one which would require very careful examination. The other matters also to which his hon. and gallant Friend had alluded required attentive consideration. He had only been able up to the present time to make a very cursory inspection of two Dockyards, and as soon as the Session was over he would devote a very considerable time to Dockyard questions, especially to those which had been brought before the House. He was very glad that his hon. and gallant Friend was satisfied to leave the matter as it stood without moving for a Committee, because, as his hon. and gallant Friend had himself said, no Committee could complete their task in the course of what was left of this Session; and suppose any changes were found necessary by his (Mr. Hunt's) Colleagues and himself in the course of their investigation next autumn, it would be impossible

to make those changes when the Committee had not completed their inquiries, supposing they were to be re-appointed next Session. He was exceedingly anxious not to lose an opportunity that evening—it being so late in the Session—of explaining the Navy Estimates in Committee, and he therefore trusted that his hon. and gallant Friend would be satisfied with having called attention to the subjects he had dealt with in his speech.

MR. E. J. REED said, it was very desirable that, before the House went into Committee of Supply, some remarks should be made upon the speech of the hon. and gallant Gentleman the Member for Chatham (Admiral Elliot)—a most unfortunate speech for our Dockyards. He had laid down propositions which were not essential to the well-being of the Dockyards, and, at the same time, would be very injurious to the country. He had protested against the policy of Government Business being done by the private trade of the country, but a more questionable doctrine was never propounded to the House, for everybody who had thoroughly considered the subject must be aware that it was one of the most fortunate things that had ever happened to the shipbuilding industry of this country that a considerable part of the shipbuilding ordered by the Government had been given to private firms. The hon. and gallant Member had argued that the Government Dockyards ought to be the only establishments in this country which should be allowed to build iron-clad ships. Why, it was the competition of the private yards which had rendered this country the principal resort of the world for the production of iron-clad vessels. Indeed, considering the enormous stimulus which the shipbuilding trade had given to the iron and coal interests of the country, he wondered that anyone should declaim in that House against the system of constructing some Government ships in private dockyards. No doubt the system required regulation, and of late he had noticed a tendency to place ships at low prices in the hands of inexperienced persons to an extent which was not altogether prudent. Still, he hoped we should never see the Government Dockyards converted into close establishments in which alone iron-clad ships could be built. As for the persistent efforts of different Ministries to disestablish all the

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Dockyards, that was a phantom which existed only in the imagination of the hon. and gallant Member. For himself, he was not disposed to believe there had been any desire on the part of recent Ministers of either party to cut down the number of Dockyards improperly. Certainly, the Dockyard he represented ran no risk of being closed. Great additions had been made to the plant, and in the Estimates for the coming year, the First Lord of the Admiralty would propose to execute one-third of the iron-clad shipbuilding in Pembroke Dockyard. Again, with regard to the administration of the Dockyards, he was unable to concur with the hon. and gallant Member. For instance, the hon. and gallant Member objected to the placing of a mechanical officer over the shipbuilding, the machinery, and the stores, whereas that was one of the best arrangements ever made, and one, moreover, which existed in every private establishment in the country. An Admiral had never been appointed to the charge of a large private shipbuilding establishment, although one was frequently nominated to a similar post in the public service. He agreed that an Admiral was in his place at the head of Portsmouth and Devonport Dockyards, which were closely concerned with the outfit of ships, but he doubted the propriety of retaining such officers in Dockyards where the operations were purely mechanical. He approved the appointment of mechanical chiefs by the right hon. Member for Pontefract, but thought their salaries ought to be increased to £1,000 a-year, as they would thus be placed in proper relations to the Naval Superintendents, who were at present, perhaps, too prone to use their position for the purpose of interfering with those mechanical operations of which they knew little or nothing. The hon. and gallant Member had invited the House to discuss the responsibility of the loss of the *Captain*, and although there was a time when it might have been desirable to discuss that sad and lamentable catastrophe, yet it was not his present intention to take up the challenge of the hon. and gallant Member, for he felt sure he should consult both the good feeling and the good taste of the House in declining to do so. He would next say that he was surprised that the hon. and gallant Gentleman should have directed so many of his re-

marks against an officer of his own profession, who was unable to reply to him in that place, and he must say that the hon. and gallant Member had attributed to Sir Spencer Robinson views and opinions which he (Mr. Reed) had never before heard attributed to him.

ADMIRAL ELLIOT: I have seen them in his own handwriting.

MR. E. J. REED: If the handwriting was not in a public document I think it is unfortunate that it should have been produced here.

ADMIRAL ELLIOT: It was in a public document.

MR. E. J. REED: Then I hope the hon. and gallant Officer will, when we are in Committee on the Estimates, give us the date and the occasion of that document.

ADMIRAL ELLIOT: I shall be happy to move for it.

MR. E. J. REED said, the assertion that Sir Spencer Robinson desired to abolish the Dockyards was in direct contradiction to all he knew of that gallant officer, and he (Mr. Reed) had enjoyed a long and intimate connection with him. It might, perhaps, be supposed from the tenor of his remarks that he was wholly opposed to the hon. and gallant Member who brought forward this Motion, whereas, in truth, he was opposed only to the spirit of the speech, and to the general statements which had been imported into it. In his opinion, the officers and men in our Dockyards were labouring under considerable disadvantages, but the general statements of the hon. and gallant officer were calculated to prejudice their case, especially on the Opposition side of the House, where some economists still survived. The hon. and gallant Gentleman attacked the hired men, but the question of the admixture of hired and established artizans in the Dockyards was a very serious one, and one in which a Minister might easily go wrong. Unlike the hon. and gallant Member, he was fully prepared to maintain that the hired men had behaved well, and were a thoroughly valuable and reliable body. It was said they were union men, but it was a very prudent thing that they were so, because workmen were as entitled as themselves to look after their legitimate interests. Besides, the hired men, being members of trade societies, were in good relations with working men in other parts of the

country, and that circumstance naturally tended to pull up the wages of the established men. He concurred in much that was said by the hon. and gallant Gentleman as to the redundancy of Returns, because the abnormal activity of the House on that subject had been very injurious in its effect upon practical work in the Dockyards. He would not stand any longer between the House and the statement of the First Lord of the Admiralty, but would conclude by expressing his hope that those interested in the Dockyards would lay their heads together to devise a practical remedy for existing defects, instead of indulging in vague and general statements.

MR. SHAW-LEFEVRE said, he was not surprised at the speech of the hon. and gallant Gentleman the Member for Chatham (Admiral Elliot), as during the late Election, that hon. Member had carried messages from one Dockyard to another, and had thereby raised expectations which he must do something to meet. The House would, therefore, do well to entertain, with great care, any statements coming from interested parties. There was a time when the Dockyards were managed with reference to politics, and when the Members for Dockyard towns were considered Government Members; but the Duke of Somerset was the first to lay it down, that the Dockyards should be managed without any regard to political considerations, and that course had been followed by right hon. Gentlemen opposite when before in office, and also by the late Government. He (Mr. Shaw-Lefevre) was sorry that the system appeared about to be revived again. He should have been glad to have acceded to the request of the right hon. Gentleman opposite (Mr. Hunt) to go into Committee at once, were it not that there were some observations which he wished to make upon what had fallen from the hon. and gallant Member for Chatham. When his right hon. Friend (Mr. Goschen) undertook last year to raise the wages of Dockyard men, he did it in such a way that it should not become a subject of discussion in that House, and that capital could not be made out of it by Members for the Dockyard towns. The main subject upon which the hon. and gallant Gentleman had addressed the House was what he called "the disestablishment" of the Dockyard men, and he gathered from his rather discursive speech, that

the two points to which he specially referred were what he held to be the undue proportion of non-established to established men in the Dockyards, and the great amount of work given to contractors outside the yards. For many years past it had been the custom to give some of the work to contractors outside, and he believed it to be a very wise course, for the reasons given by the hon. Member for Pembroke (Mr. Reed). But there were other reasons; it excited emulation, and enabled us to compare the one class of work with the other. Besides, in time of peace it would not be wise to employ all the labour of the Dockyards in building, for, if we did, we should not be able to execute the repairs which might be required. He did not think the late Government had exceeded the usual proportion of work put out on contract, the proportion given out by the previous Administration being, he was informed, larger. New machinery had always been done by contract outside. With regard to the question of established as compared with non-established men, he, equally with the hon. Member for Pembroke, regretted to hear the observations made by the hon. and gallant Gentleman with respect to the latter. The conduct of the non-established men might compare favourably with that of any other men in the United Kingdom, and certainly with that of the established men. There was no intention on the part of the late Government to disestablish a greater number of dockyard men than now existed; but whether it would be wise to increase the number of establishment men, and to extend the system to the factory to which it had never been extended hitherto, was a question well worth the attentive consideration of the right hon. Gentleman at the head of the Admiralty. For his part, he did not think it would be wise to extend the system of establishment to the factory. The hon. and gallant Gentleman had pointed out that some years ago there was a practice of selling ships, with a view to their being broken up by contract. That was a very faulty practice, and it was put an end to by his right Friend the Member for Pontefract some years ago. The practice for the last five years had been that, where the Admiralty thought it right that a vessel should be broken up, it was done in the Dock-

*Mr. E. J. Reed*

yards, and where it was not thought proper to break the vessel up, she was sold, and fetched a good price. The hon. and gallant Gentleman spoke of the *Pelican*, which, he said, was sold in 1867 for £5,000, and was afterwards resold to the Spaniards for £40,000. That was, no doubt, a very serious case; but, as it occurred in 1867, it was not during the tenure of office of the late Administration. [Admiral ELLIOT: The vessel was sold between 1859 and 1867.] That merely carried the matter a great deal further back; and as to what Administration had sold it, he did not care, but certainly it was not the late Administration. But those who had listened to the hon. and gallant Gentleman would conclude that it had been done either by the right hon. Member for Pontefract or by the right hon. Gentleman the Member for the City of London. He agreed with the remarks made by the hon. Member for Pembroke that the arrangement made five years ago with the object of concentrating in one hand the business management of the Dockyards, putting under the master shipwright not only all questions relating to engineers and machinery, but also to stores, was a wise one. He was aware that this arrangement met with great opposition from naval men, and that it was considered by many to be a prelude to doing away with the naval superintendents of the Dockyards. He was never in favour of doing away with them; but, at the same time, he could not look upon them as good business managers of those great establishments. He did not think they were, as a rule, qualified to act as business managers. What was required on the business side was to have really sound business managers, and that improvement was made by his right hon. Friend behind him. The hon. and gallant Gentleman had found great fault with the system of accounts; but in the main the Admiralty accounts might be looked upon as accurate, and as giving a correct account of the money spent, and with regard to them, the charge of falsification was brought before the Committee of the hon. Member for Lincoln (Mr. Seely), and disapproved. It might be questioned, however, whether it was worth while printing the accounts in such voluminous and costly detail.

ADMIRAL SIR WILLIAM EDMONSTONE said, he did not believe it was the intention of his hon. and gallant

Friend (Admiral Elliot) to asperse the hired men; all that he did was to show the difference there was between the establishment men and the hired men, and he (Sir William Edmonstone) fully endorsed what his hon. and gallant Friend said. It was obvious that a great establishment like a Dockyard must rely upon established men if we were to be prepared for an emergency, and although he had not any fault to find with hired men, yet the proportion employed should be limited. He was thankful for the opportunity of protesting against the assumption that Conservative Administrations were extravagant and careless in their accounts. It was true they did not conduct business on "commercial principles;" for instance, they kept up their stores so as to be prepared for any emergency, but they were not extravagant. He had himself held office in two Dockyards, and he knew that that was the case.

CAPTAIN PRICE said, that it had been contended that there was an advantage in getting ships of war built by private contract, because it accustomed private builders to that kind of work, and caused a great demand to spring up from foreign countries. Now it was the first time that he had heard that this was an advantageous course for this country. It was private firms being experienced in building war ships that got us into the *Alabama* difficulty. No doubt a certain proportion of ship building should be given to private yards, but more than half the iron-clads in the British Navy had been built by contract, and that in addition to many other kinds of vessels being so built. At present there were being built by contract the *Ant*, the *Hyena*, and the *Weasel*, wretched little gunboats, besides three or four sloops and corvettes, a tug, and a troop-ship. The private yards did not want the latter class of work to keep them in practice; and why, therefore, should it not be done by our own established men? Why should we maintain in private yards plant to be used in building ships to be employed against ourselves? It had been laid down in a text-book that it was cheaper to build iron-clads by contract than to build them in private yards, and the reason given was that builders did not look for any profit. The author of that remarkable text-book was the hon. Member for Pembroke. As to the state of our stores, the fact was that



from motives of what was called economy we had been living of late years upon capital. Our coal stores, for instance, had been very considerably reduced, and taking into account the rise which had taken place in the price of coal, this could not be called an economy.

MR. G. BENTINCK could not but think that both the House and the country were indebted to his hon. and gallant Friend (Admiral Elliot) for the very able way in which he had brought forward the subject. Never was there an attack more undeserved than that of the hon. Member for Reading (Mr. Shaw-Lefevre) upon his hon. and gallant Friend, for he had almost impugned the motives, and certainly had impugned the qualifications of his hon. and gallant Friend to deal with it; but he was quite sure the House would not endorse that opinion. A more clear, able, and conclusive statement he had never heard; it was so complete that it appeared to be incapable of contradiction. His hon. and gallant Friend had shown that the present condition of the Dockyards was dangerous to the best interests of the country, because, in fact, the country was not prepared for war; and that it would be impossible to put it into that necessary condition, if it should become necessary, within a reasonable time. It was no doubt quite natural that the Government should ask for time for consideration; but he trusted that in considering the matter they would be as brief as possible, and would be to some extent guided by what they had heard that day. The case of the Pembroke Dockyard showed that the practice which had been pursued of late years, was a system which was crippling our resources. He believed that the present state of things had been brought about by the wretched system of Government after Government competing with one another for what was called economy, but which, when tested practically, amounted to nothing but extravagance. He did not understand the hon. and gallant Member who brought forward the matter, to attack private building yards; but he must say that the practice of so many hired men being employed in the Dockyards was properly attributed as a fault to the Government.

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

*Captain Price*

SUPPLY—*considered* in Committee.  
(In the Committee).

ASHANTEE WAR.

GRANT TO SIR GARNET J. WOLSELEY.

Queen's Message [16th April] read.  
£25,000, Sir Garnet J. Wolseley,  
K.C.B., G.C.M.G.

MR. DISRAELI: Sir, I rise to move that a Supply be granted to Her Majesty in order that Her Majesty may be enabled to carry into effect that object she has graciously expressed to her faithful Commons, to confer some mark of distinction on Sir Garnet Wolseley for having so successfully planned and conducted the Ashantee War. It is unnecessary, and I think the Committee will agree with me that it would be hardly becoming, that I should enter into the reasons which have induced Her Majesty's Government to advise that the recognition of the merits and services of Sir Garnet Wolseley should take the form of the Vote now before the Committee. It is enough for me to state that it takes that form merely in consideration of the feelings and wishes of the eminent individual whom it is the wish of the Sovereign of the country to honour and to reward. I would take this opportunity to announce that Her Majesty had graciously wished to confer upon Sir Garnet Wolseley an hereditary distinction, and to recommend to the House to provide the becoming means to maintain such an honour. Sir Garnet Wolseley, however, in declining it, said that the only rewards he sought in life were connected with that profession in which all his feelings and thoughts were centred, and that he looked with hope and anxiety always to professional promotion and professional opportunity. I may here observe that Sir Garnet Wolseley is a member of a family in which there are two Baronetcies, one of which is ancient, to both of which it is possible he may succeed. He has never cared to look forward to the possession of those Baronetcies, which if he were to succeed to them might interfere with the career to which he is devoted, but certainly he has no wish to add to the honours of that kind which his family already possesses. I thought it my duty to suggest to Sir Garnet Wolseley that however much I might admire the modesty of his charac-



ter in common with all who are acquainted with him, and which all must recognize, still I thought that by his refusal of these honours a false impression might circulate throughout the country with regard to the intentions of his Most Gracious Sovereign with respect to him, and that an idea might be prevalent that his services had not been recognized by the Crown in the manner which they deserved; but Sir Garnet Wolseley only answered me with the simplicity of truth, and said that he really thought he had been over-rewarded. Under those circumstances, the result is that I am about to propose the Vote—

“That a sum not exceeding £25,000 be granted to Her Majesty to be issued to Major General Sir Garnet J. Wolseley, K.C.B., G.C.M.G., as an acknowledgment of his eminent services in planning and conducting the recent Expedition to Ashantee.”

*Vote agreed to.*

#### SUPPLY—NAVY ESTIMATES.

MR. HUNT, in moving the Vote for £602,757, for Wages, &c., for Seamen and Marines, said: Sir, I feel that I need the indulgence of the Committee in endeavouring to perform the task assigned to me on this occasion—because not only is the time since I undertook the duties of my present office exceedingly short, but the work of the Department is entirely new to me. Under these circumstances, I feel conscious that I shall not be able to give the assistance to the Committee in explaining the Estimates that I could have done if the time afforded to me had been longer; and therefore I hope the Committee will bear with me in any shortcomings I may exhibit.

At the outset it is better to say that the Estimates I am about to present to the Committee are the Estimates I found in my Department upon my accession to office—with one single exception, which I will mention hereafter. These Estimates were merely what are termed Departmental Estimates—that is to say, Estimates framed by my right hon. Predecessor the Member for London, with the assistance of the officers of the Department, in accordance with his views and the requirements of the service, but which had not received the sanction of his Colleagues in the Cabinet. It is under these circumstances that I present the Estimates to the Committee, and the

sums asked for are the sums that the right hon. Gentleman would have asked his Colleagues to sanction—with the exception of £7,000, which I added to the total amount before presenting them to Parliament, for the reason I will presently give. The gross sum asked for the naval service of the year is £10,179,485; but from this gross sum certain abatements have to be made. There are extra receipts and repayments amounting to £143,000, and contributions from the Indian Government on account of the expense of the fleet on the Indian station of £70,000; making together £213,000, leaving the net charge for the Navy for the year at £9,966,485. One thing, however, I should mention—that the comparison made in the printed Estimates between this year and the last is not now accurate, owing, as the Committee will remember, to a Supplemental Estimate having been presented at the close of the financial year of £105,000 for the enforcement of the squadron that is, amongst other things, to operate at Zanzibar for the prohibition of the slave trade. The sum stated in the Abstract presented with the Votes last year amounted to £9,899,725, which, with the Supplemental Vote of £105,000, amounted to £10,004,725. I propose to lay upon the Table a corrected statement of the expenditure for the past year for convenience of comparison with the Estimates for the present year. Comparing the sum now asked for with that of last year, there is an increase of £174,760, instead of £279,760 as shown in the Estimates so presented. As I have stated, the net amount required this year is £9,966,485; but of this amount there is a certain sum taken for the Army Service, which, by the rule in force at the Treasury, must be, as it is administered by the Admiralty, met in the Navy Estimates, amounting to £175,600, leaving the net balance chargeable for the Navy Services proper at £9,790,885. But there is reciprocity in these matters, for in the same way my right hon. Friend the Secretary of State for War takes in his Estimates certain charges for the Navy; and this year the balance is rather against me—the sum so taken amounting to £202,782—leaving with that sum the real charge for the Navy at £9,993,667, or as nearly as possible £10,000,000. The Committee

will no doubt like to hear how that sum is apportioned under the two great divisions of the Estimates—the Effective and the non-Effective Services. For the latter, which are represented by Votes 15 and 16, for Half-pay and Pensions, there will be required £1,815,000, leaving a little over £8,000,000 for the Effective Services. Of this sum one half may be considered, in round numbers, as spent on the *personnel* of the Navy, including Marines, Coast Guards, and Naval Reserve, represented in Votes 1, 2, 4, 7, 8, and 12. Of the other half, the *matériel* as represented by Votes 6, 10, and 11, absorbs, in round numbers, £3,700,000, leaving something over £400,000 for Administration, Scientific Branches, Law Charges, and Miscellaneous. The division I have made must not be taken as strictly accurate, but for general purposes it will answer. Thus I have taken the charges for the Victualling Department and the Medical Establishments as part of the *personnel* of the Navy, because, for the most part they exist for the purpose of feeding and keeping in good health the officers, men, and boys of the Fleet, though no doubt they are also available, to a certain extent, for those who are employed in the Dockyards as well as those on board ship.

I now propose to examine and go through the different Votes in order, and to call the attention of the Committee to any point I think of special interest to them, and to which I have been able to give particular attention, and to explain the difference between the amounts asked for this year as compared with those of last year, where such difference is of any substantial importance.

The Committee were good enough, a short time since, to vote the Number of Men without any statement being made by me; and I may remind the Committee that the number was the same as that of last year. The Officers, Men, and Boys have been taken at 46,000, and the Marines at 14,000, making a total of 60,000 asked for the year. The boys were reduced 500 last year, and they now remain at 7,000, of whom 3,000 are under training in training ships. During the Easter Recess I had the opportunity of inspecting a large portion of the force of boys under training. I inspected 1,700 of them at Devon-

port, and anything more satisfactory than their appearance, and the manner in which they did their drill cannot be imagined; and the military officers who were looking on envied me the promising nursery I had there for boys. The healthy appearance—I may say the muscular appearance—of these boys, their discipline, and the regularity of their movements excited the praise and commendation of all who were present. The Marines remain the same in number that they have stood at for years—14,000. The Wages for the Seamen and Marines stand at £2,602,757, of which the Committee has already voted £2,000,000, leaving a balance of a little over £600,000. There is an apparent decrease in the Estimates, in respect of this Vote, of £27,127, and it may appear strange that there should be this decrease upon the Vote when the numbers are the same. The fact is, that it is owing to a transfer to another Vote—in consequence of an alteration made by my predecessor—of the sum of £31,000, which would otherwise have appeared in this Vote, this sum now figures in the Victualling Vote. Indeed, after the accounts shall have been thus adjusted, there is an increase in the Wages Vote of nearly £5,000 over last year's Estimate.

I now come to Vote No. 2, the Victualling and Clothing Vote. When the number of men is once fixed, this Vote is governed by it, and the amount follows as a matter of course. A correction must be made in this Vote, consequential on the correction in Vote 1; so that there would have been, in fact, a decrease of £3,375 in Vote No. 2, instead of an increase of £28,545, as shown in the Estimates, if the transfer had not been made.

Vote No. 3, for the Admiralty Office, of £178,066, shows an increase of a little over £3,000, chiefly due to the progressive increase of salaries due to length of service.

In Vote No. 4, of £163,311, for Coast Guard Service and Royal Naval Reserve, there is a decrease of £4,264; but those who remember the discussion introduced the other evening by my hon. Friend the Member for Hastings (Mr. Brassey) will be aware that this decrease does not represent a decrease in numbers, for it is satisfactory to find that, chiefly owing to the judicious alterations made by my predecessor, the right hon.

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Gentleman opposite (Mr. Goschen) the Force is increased by 2,400 men. The reason for the decrease in the Estimate is that the experience of last year shows that a certain number of the men who enter the Naval Reserve do not present themselves when called upon for the training, and, therefore, it was felt that an abatement might be very fairly made, which has been taken at 10 per cent.

In Vote 5, £111,170 for the Scientific Branch, there is an increase of £12,516, of which the larger part, £7,000, is due to expenses in connection with the observations of the Transit of Venus, a charge which is, of course, exceptional for this year.

There is in the Vote a charge of £33,500 for the Royal Naval College at Greenwich. I am sorry I have not been able as yet to find time to visit this establishment, but I find from Sir Cowper Key, who is at its head, that 194 officers have availed themselves of the education given in the College; but I shall certainly watch with interest the progress of this establishment.

In Vote 6, the sum required is £1,180,326 for Dockyards and Naval Yards at home and abroad; there is an increase of £65,246, arising mainly from the employment of 800 additional men in the Dockyards. The reason which the right hon. Gentleman opposite (Mr. Goschen) had for the increase in the Vote which he contemplated was that this year there would be a great deal of repairing required in connection with our iron-clads. It is in this Vote that I have made the alteration alluded to, by adding 100 men to the 700 proposed by my predecessor, and rendered necessary by the great amount of repairing work required this year on account of our iron-clads now coming in for repair. The alteration I have made is for the sake of putting a new armament on the *Minotaur*, which will now be more powerful than before. I found that this vessel required very considerable repairs, and that her new armament had been prepared. Orders had already been given that the new armament should be put on board the *Achilles*, and the addition that I have made will allow of the *Minotaur* being dealt with in the same way. The additions which I have referred to will give a total of 14,300 men, as proposed in the Estimates before the Committee, and the proportions are 6,080 men on

the establishment and 8,220 hired men. Of the additional men employed, 190 will be set to work at Chatham, 350 at Portsmouth, and the remaining 250 at Devonport. There are four iron-clads in commission now undergoing a temporary re-fit, and there are six not in commission that will have to undergo very substantial repairs. The experience we have had of the repairing of these iron-clads is of very recent date. In the last financial year three iron-clads came in for repairs; two have been repaired, but the third is not quite finished. The experience gained in repairing these vessels shows that a larger number of men than was anticipated must be employed on these repairs. In addition to that a very formidable question arises with regard to the boilers. The improvements that have taken place in engines and boilers whereby certain advantages have been gained have resulted, apparently, in a much shorter duration of life than was formerly averaged to these boilers; and that experience has not been confined to the Royal Navy, because by communication with the great Steamship Companies we find that the same complaints are experienced by them. I may here say, therefore, that I have at once determined to do that which I rather believe my Predecessor had in contemplation—to appoint a Committee to consider the subject. I have the advantage of having secured the services as Chairman, of my hon. and gallant Friend (Admiral Elliot) who earlier in the evening called the attention of the House to the subject of Dockyards. With him will be associated the names of certain persons connected with the Admiralty whose position and authority will add weight to the decision arrived at by the Committee, and I have also asked the Steamship Companies to confer together and select a representative. The Committee will also number among its members an eminent chemist; so that we may be sure that anything that can be suggested as a remedy for the evils complained of will not be lost sight of. I have by me the Reports which have been made on this subject of the boilers by the Departmental Committee, and the Committee can see from them that the propriety of re-commissioning ships upon a foreign station, where there is not proper dockyard accommodation, is a very doubtful one. If it is wished, I will lay that Report

upon the Table; but, in any case, it will be submitted to the Committee which is to be appointed. The greater part of the Report is of so technical a nature that I will not trouble the Committee with it; but I desire to call attention to the case of the *Dryad*. The *Dryad's* boilers were put in order in 1866. On the 22nd of February, 1871, a little more than a month after the first signs of corrosion, a number of small holes began to appear in her boilers. During one portion of her commission she was serving on the south-east coast of America, and during the other in the East Indies. Some repairs were made, and she was sent to Bombay, where a survey was made. Her boilers were reported to be defective, and in consequence of the unfavourable terms of the report she was ordered home. Now, this was one of the cases where reliance had been placed on the report that the ship's boilers were in good condition. The next ship noticed is the *Eclipse*; and the Report states that when the boilers of the *Eclipse* were examined, after she was paid off—the boilers were put in in 1867, and she was paid off in 1872—they were found to be very much worn, but not to such an extent as not to be reparable. She was accordingly repaired at Sheerness at a great expense, the cost of the repairs being about half the first cost; but if the ship had been left in commission a few months longer, the boilers would have been past repair for a new commission. [Mr. GOSCHEN: She has not been re-commissioned?] No; the reason why I mentioned it was that here was a ship that has not been re-commissioned; but if she had been kept in commission a few months longer her boilers, according to the Report, would not have been worth repair. The Report goes on to say, in some general observations, that when circumstances permitted, it would be advisable to have boilers examined in Dockyards and repaired every three and a-half years. As to the propriety of that course, I am not, perhaps, so able to judge as some other members of the Committee; but if that opinion is correct, and if the recommendation ought to be attended to, it certainly is against the policy of re-commissioning ships at foreign stations without their undergoing a proper examination. I have stated

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that the cost of repairs of iron-clads, according to the experience we have obtained is far greater than had been anticipated; and I will now give the Committee an account of the expense of the repairs of some of our iron-clads. There are three ships of which the repairs have been completed, and there are others in regard to which the expense is only estimated. The *Warrior* cost originally £356,693. She was seven and a-half years in commission; her first repair cost £69,928. [Mr. SHAW LEFEVRE: The first was the replacement of her boilers.] I am mentioning this, not with reference to boilers alone, but to the large expense incurred in the general repairs of these iron-clads. The cost of the repairs just completed is £51,897; so that the total cost of the repairs of the *Warrior*, after being seven and a-half years in commission is more than £121,000, which is a little in excess of one-third of the original cost. The *Defence* cost £232,000. She has been nine years in commission; her former repairs cost £32,000; and her recent repairs £33,000; making a total cost of £65,000. The *Resistance* cost originally £242,000; her repairs up to this time, when she has been a few months again in commission, have cost £68,610. I now come to the estimated repairs. The *Hector* cost £283,000. Her first repairs cost over £31,000; her estimated repairs are more than £44,000, making a total of £76,239. The *Minotaur* cost originally £456,804. She has been six years in commission, her former repairs cost £18,000, and her estimated repairs are £75,000, making a total of £93,000. The *Achilles* cost originally £444,546. She has been 8½ years in commission, her former repairs were £25,000, and her estimated repairs are £82,049. The *Black Prince* cost originally £357,636. She has been ten years and four months in commission, and the aggregate cost of her repairs amounts to the very large sum of £108,495, the present estimate being £61,000. The *Valiant* cost originally £320,288. She has been five years and four months in commission, her repairs cost £17,000, and her present repairs if the estimate be correct, will be £45,000; making a total of £62,000. This seems to be a rather alarming account of what we must expect to have to spend upon repairs of our ironclads. The matter is, indeed, so important that I



propose to lay on the Table of the House a detailed statement showing the history of these ships—first of all where they were built—whether in Government Dockyards or private yards—the work they have done, so as to show the difference of climate and local influences upon the duration of a ship; and at what period the repairs of ships should be undertaken—I mean what period in the life of these ships should elapse before they are overhauled to see what repairs they require.

MR. MUNTZ: Will the Report give the distinction between the repairs of the boilers and the general repairs of the iron-clads?

MR. HUNT: Yes; the paper I have made out will distinguish between the cost of the hull and the cost of the machinery. I will, if practicable, have the cost of boilers added, and put into a separate column. A question which here arises, to which I will advert by-and-bye, is whether, in consequence of this state of affairs, the number of men taken for our Dockyards—namely, 14,300, will be sufficient to keep up the present establishment of ships. The work done in the Dockyards generally falls short of the estimate. The tonnage proposed to be built in the Dockyards in 1873-4 amounted, in the whole, to 12,757 tons; but of that only 10,902 were actually built. I believe that year will not be found to be an exceptional one, because, if the account is analyzed, it will be found that for some years past that has been the normal state of things; and it applies not only to Dockyards but also to the work done by private contract. As regards the distribution of the shipbuilding work, it was proposed to build 8,105 tons of iron-clads. The amount actually built last year was only 5,592 tons. In frigates and corvettes it was proposed to build 3,438 tons; but there was built more than the estimate—namely, 3,605 tons. Of sloops and gun boats, it was proposed to build 770 tons, but nearly double that quantity was built—namely, 1,395 tons. Of other vessels, it was proposed to build 444 tons, but there was actually built 310 tons only. I am not aware of the reasons, but the result is this, that whereas this House was under the impression that 8,000 tons would be added during the year to our iron-clads, it fell short of that to the amount I have named,

while in other classes it was considerably more than was anticipated.

There then follow three Votes, No. 7, Victualling Yards, £72,000; No. 8, Medical Establishments, £63,701; No. 9, Marine Divisions, £18,720. There is a slight increase on these Votes, but not such as to call for any remark.

We next come to Vote 10, which is in two sections. The Vote being a large one usually gives rise to a good deal of discussion. The first section of it is for Stores, and the amount asked for is £1,143,159, showing an increase on the Vote of last year of upwards of £70,000. A very small amount of that increase is due to myself in consequence of the change in the armament of the *Minotaur*. Then there is Section 2, which is for Steam Machinery and ships built by contract. Upon that, there is an increase of £98,538, about half of this amount being for ships and half for machinery. There is included in the Vote a sum for breaking up ships—namely, £4,000. Now the question of the breaking up of ships is one on which I wish to make a few remarks. It is a question by no means new to me, because I used to discuss it, not unfrequently, with my late lamented friend Mr. Corry. I find that Mr. Corry was adverse to breaking up so large a tonnage of ships as he would like to have done by the consideration that the expense would nominally swell the amount of the Estimates. He was anxious that the amount paid for the work should come out of the proceeds of the ship. But that, according to the rule laid down by the Treasury—and a very proper one—was not permitted—the whole of the money to be spent must be shown on the Votes, even though it may be a remunerative outlay. However, Mr. Corry's endeavour to get the rule altered showed how far the increasing of the Estimates operated on his mind. For my own part, I believe that the breaking up of ships which are useless now, and never likely to be useful hereafter, is a very economical process, and I shall not shrink from increasing the Estimates for that purpose. The increase is only a nominal increase. There are two sides to the account. There is, first, the amount of stores which will be serviceable for the Navy for building and repairing purposes, particularly in the article of copper, which will, so to speak, add to the amount



of your assets. There is the material which can be used again—copper which may be remanufactured and used for new ships, also iron work and wood. Then also there are the proceeds to go into the Exchequer of those parts of a ship which are not likely to be required for future use in the Dockyards. It seems to me that in a matter of this kind the Navy yard is very much in the position of any private establishment. You go into some private house and find there a lumber room containing old things which have been thrown aside as useless and not worth repair. Now, my own private experience has taught me that such things are not likely to be useful 50 years hence, and I have proceeded on the principle in my own house of having no lumber room. There is no use, in my opinion, in keeping a thing to be repaired at some distant date if it is not worth repairing at the moment. If there are any things which are found useless now, I would have them either burned, sold, or given away rather than keep them on the chance of their being wanted. I made an inspection, with my late lamented friend Mr. Corry, of one of the principal Dockyards, and as it was my first visit I was struck at seeing the enormous amount of useless lumber that was lying about. No doubt there is the consideration that some large vessels may be converted to useful purposes. They may be used for receiving ships, hospital and store ships, coal hulks, and so on. But there are some that are quite useless for any service at present, and are not likely to be required in the future; and they are in the Admiralty lumber room. I am of opinion, under these circumstances, that it would be an economical operation to extend the breaking up of ships, and I shall not be afraid of the consideration which deterred Mr. Corry from extending it—that it would nominally swell the amount of the Estimates. I say so because I give credit to Members of this House who study the subject, for looking at the two sides of the account, and for seeing that what is apparently an increase in expenditure is in reality a reduction in the charge to the public. Of course the question of the breaking up of ships does not always depend on how much money can be spent on the operation, because there is always the question of what accommodation there is for

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the purpose. In some Dockyards there is very little, in others more. My wish is to cause reports to be made on the matter, and if even in the present year I were to ask the House of Commons to sanction the grant of an additional sum of money for breaking up old ships, I hope hon. Members will not consider that I am running into any very great extravagance. Section 2 of Vote 10 provides for building this year by contract three corvettes, two sloops, and two gun-boats. The total amount which it is proposed to build in the Dockyards and by contract is estimated in round numbers at 20,000 tons, of which 13,000 tons will be built in the Dockyards, the remainder being contract work.

The next Vote is No. 11, for New Works and Buildings, £682,061. This large amount is chiefly due to new works at Chatham and Portsmouth, the former absorbing about £110,000 and the latter about £300,000. There is no change in the amount of last year. Nor is there any change in Vote 12, for Medicine and Medical Stores, £70,520. Vote 13 is for Martial Law and Law Charges, and there is in this Vote a slight decrease, the amount being £15,505. The next Vote for Miscellaneous Services is £113,510, which shows an increase of £8,992, owing to its being found that the sum taken for telegraphic communication was not sufficient.

We come now to the Non-Effective Services. The Vote for Half-Pay and Retirement is £870,166, an increase on the sum voted last year of £7,704. The retirements among officers in 1873, excluding sub-lieutenants, navigating lieutenants, and assistant paymasters, have been 344. The numbers on the Retired List on the 1st of January, 1873, were 2,153, and on the 1st January of this year 2,360; showing an increase of 207. There is an increase in money on the two years of £52,842. The result of these and other changes in the Active Lists I will give the Committee. The Order in Council which governs the matter lays down what is considered as the standard numbers of the different ranks. The result is as follows:—Admirals of the Fleet, 3, as proposed in the Order in Council; Admirals 12, being five in excess of the standard; Vice-Admirals, 15, the same as the Order; Rear-Admirals, 25, the same as the Order; Captains, 178, being 28 in excess of the

standard; Commodores, 205, being only five in excess; Lieutenants, 662, being 62 in excess; Sub-Lieutenants, 382, or 132 in excess; Navigating Officers, 260, being 10 below the standard; Chaplains and Naval Instructors, 92, being 8 below the standard; Medical Officers, 441, or 35 below the standard which is 476; Paymasters, 217, being 17 in excess; Assistant Paymasters and clerks, 287, being 57 in excess. These figures show how the state of the Active List has been operated upon up to the present time by the retirement scheme of the right hon. Gentleman opposite.

The next Vote is No. 16 in the Non-Effective Service, for Military Pensions and Allowances, amounting for military pensions to £657,090, an increase of £13,874, which is owing to a greater number of seamen being pensioned off this year than last. Section 2 of the same Vote is for Civil Pensions, £288,670, being a decrease of £7,778, which is caused by the number of deaths. The Vote for the Army Service is £175,600, being an increase of £7,860. This is a Vote over which the Admiralty have no control:—it depends chiefly on the movement of troops, for which we have to provide in the Navy Estimates.

I come now to what is always a very interesting subject to hon. Members in these discussions—the programme of ship-building works provided for in these Estimates. It is proposed at Chatham to advance the *Superb*, iron-clad broadside, to 56-100ths; the *Téméraire*, iron-clad broadside, to 33-100ths; the *Euryalus*, iron corvette, wooden-sheathed, to 52-100ths; a composite corvette (new *Magicienne*) to 32-100ths; and to provide materials for a composite sloop (new type *Albatross*), which is to be delivered. We shall also complete, after delivery from the contractors who have built them, the *Rover*, an iron corvette built by the Thames Company, and two composite sloops, the *Sappho* and the *Daring*, built by the firm of Wigram. At Sheerness, it is proposed to complete the corvette *Diamond*, which will be ready for launching next July; to begin a composite sloop (an improved *Fantôme*), though not to make much progress with her; to complete a paddle steamer, the *Pioneer*, built by contract; and to employ 850 men in repairing ships for reliefs, &c. At Portsmouth it is proposed to advance a new iron-clad, the

*Inflexible*, to 22-100ths; to complete by September next the iron frigate the *Shah*; to advance the *Boadicea*, corvette, to 62-100ths, the *Bacchante*, corvette, to 46-100ths; to complete the turrets only of the turret-ship *Thunderer*; to complete the yacht *Osborne* by June next. I saw the *Osborne* the other day. She is now in the condition to have a commander appointed to her. She will be appropriated to Her Majesty's use; but it is to be understood that by permission of Her Majesty she will from time to time be used by the Prince of Wales, and in conveying foreigners of distinction coming to this country. It is proposed to complete the torpedo vessel *Vesuvius* on its arrival from Pembroke, and also the troopship *Assistance*, built by the Messrs. Green. At Devonport it is proposed to complete the corvette *Sapphire* and the steam-tug *Perseverance*; to begin a composite sloop (an improved *Fantôme*); to complete the composite sloop *Egeria*; to complete the gunboats *Cygnets*, *Contest*, and *Express*, built by contract, and the composite sloops *Arab* and *Lily*, likewise built by contract; and also to employ 1,888 men on repairs. At Pembroke it is proposed to advance the *Fury*, turret-ship (an improved *Devastation*) to 69-100ths, and the *Shannon* to 44-100ths; also to begin a composite corvette—a new *Magicienne*. The number of men to be employed in the Dockyards is, as I have stated, 14,300; and they were apportioned in this way in the present Estimates. I say in the present Estimates, because my right hon. and gallant Friend (Sir John Hay), by a Notice he has given to-night, thinks they ought to be apportioned in a different manner. It is proposed to employ in shipbuilding, 4,700 men; in repairs and refits, 4,757; in yard manufactures, 1,931; in yard and harbour service, 2,809; and 103 for store purposes at Deptford and Haulbowline; making in all 14,300 or 800 more than last year. Next, I will give the Committee some account of the work to be done by contract. It is proposed, by contract, to complete the *Rover*, advance the *Magicienne*, and commence and advance three new *Magiciennes*—all five being corvettes; also to complete the following sloops and gunboats:—The *Sappho*, *Daring*, *Arab*, *Lily*, *Cygnets*, *Express*, and *Contest*; to commence and advance one new *Fantôme*, 427 tons, and

another, 428 tons. We shall likewise advance three new *Cygnets*, complete the *Resistance*, troopship, for which 592 tons are required; and the *Pioneer*, paddle steamer, requiring 166 tons. It is proposed that a new tug shall be purchased, if possible, or built by contract. That is the detail of the works proposed under these Estimates to be done by contract, and in the Dockyards. The tonnage to be built is—in the Dockyards, 13,851 tons, builders' measurement, and 5,618 tons by contract; making together a total of 19,469 tons. This is the work proposed to be done; but, according to the number of men taken for the purpose, if we look at the experience of the past as regards the Estimate and the actual result, I do not think we are likely quite to realize the full amount that is expected.

The list of the fighting ships in commission at the present time is as follows:—23 iron-clads—besides the *Glatton* and *Gorgon*—one *Devastation*, eight frigates, 14 corvettes, 27 sloops, 32 gun vessels, and 18 gunboats—total, 123. As stated in the Controller's Report, there are of efficient unarmoured ships and vessels 110 altogether, of which 25 require immediate repairs. That is exclusive of troop and store ships, yachts, and tenders.

I now come to the question of the iron-clads. I should not be satisfied to give the Committee the present state of the iron-clad fleet, and what is proposed to be done with respect to it, without looking back for a period of years. I must revert to the time before the late Government acceded to office to show what was done under the previous Government of which I had the honour to be a Member, although not then holding in it my present position. I wish to show what was then done in strengthening the Navy in the matter of iron-clads, what has been the course pursued since then, and also to draw attention to the result which has ensued. In 1867, my noble Friend (Lord Hampton) was at the head of the Commission, but in February that year he was transferred to the War Office, and his place at the Admiralty was filled by the late Mr. Corry. In that year—1867—the following iron-clads were commenced:—The *Audacious*, the *Captain*, the *Invincible*, the *Vanguard*, the *Iron Duke*, and the *Sultan*—making six. The next year,

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while my lamented Friend was still First Lord, there were commenced four more iron-clad ships—namely, the *Hotspur*, the *Swiftsure*, the *Glatton*, and the *Triumph*. That is to say, 10 were commenced in those two years. [Sir JOHN HAY: And the *Repulse*, which was not only begun, but finished.] My right hon. and gallant Friend says, I ought to add the *Repulse*, and there appears to be good authority for doing so. These, then, were the iron-clads commenced in 1867 and 1868. I would ask where should we have been as regarded our fleet had not that policy been pursued by Mr. Corry? It was the fashion at the time and shortly afterwards in the House and in the Press to decry the extravagance of the Conservative Government; but without that so-called extravagance would my right hon. Friend who preceded me have been able to effect the so-called economies of the Liberal Government? What has since been done in the way of iron-clad building? Seven have been begun, of which the *Cyclops*, *Hecate*, *Gorgon*, *Hydra*, *Devastation*, and *Rupert*, have been completed; while the *Thunderer*, though considerably advanced, will not at the present rate of progress be completed till October, 1875. My predecessor has bequeathed to me five more iron-clads—the *Superb*, *Fury*, *Shannon*, *Téméraire*, and *Inflexible*; but the first three of these will be completed very late in 1876, the *Téméraire* in July, 1877, and the *Inflexible*, which is only just commenced, in October, 1877. It has been said in some quarters that the Conservative Government commenced a lot of ships and left them as a burden on their successors; so that the former could not take credit for them. I do not wish to claim any credit which is not due, but I have obtained a Return of the gross tonnage of ships of all kinds built in different years. In 1866-7, under the programme of the Russell Government, which preceded that of Lord Derby, it was 15,384 tons; in 1867-8, for which Mr. Corry was responsible, 33,701; in 1868-9, 26,290; in 1869-70—when, notwithstanding a change of Government, there had been no great change of policy—24,230; in 1870-1, 19,925; in 1871-2, 21,137; in 1872-3, 16,092; and in 1873-4, 17,329. Taking the tonnage of iron-clads only, the figures for the successive years were 7,013, 12,448, 15,045, 18,769, 12,567,

10,678, 4,798, and 4,050, showing a rapidly descending ratio down to a very small amount indeed. As regards the present strength of the Navy, especially the iron-clad fleet, which is its mainstay for fighting purposes, the "extravagant Conservative Governments" may take credit for having added a very large part. The sums spent in building and repairing ships of all descriptions were in 1867-8, £2,236,000; in 1868-9, £2,316,000; in 1869-70, £1,833,000; in 1870-1, £1,344,000; in 1871-2, £1,719,000; in 1872-3, £1,456,000; and in 1873-4, £1,781,000; while the present proposal is to spend £1,888,000. The result of the policy which has been pursued has excited much interest, and has led to a discussion "in another place," while my right hon. and gallant Friend (Sir John Hay) who intended to offer a Motion upon the subject before the House went into Committee has courteously deferred it, in order to save me the inconvenience of having to reply to it before introducing the Estimates.

With a view to ascertain the present condition of the iron-clad fleet, I have employed all the resources of the Admiralty establishment, and have obtained the assistance of the Controller of the Navy and of all the Sea Lords; not satisfied with which I have endeavoured to check their accounts by information from the Admirals in command of squadrons. I have accidentally been able to confer personally with one of them and go into detail as to the state of his ships; while from the Admirals at different stations I have availed myself of opportunities, which I admit were not very great, of getting valuable information. Pessimists may think my statement too flattering, while others may deem it too disparaging; but I have no wish to exalt or depreciate our strength unduly. We have 55 iron-clads, of which 41 are seagoing, and 14 are adapted for harbour and coast defence. In the latter category I have included the *Devastation*; for though some authorities think her fit for seagoing service, I shrink, after the sad warning furnished by another ship of novel construction, from placing her without further trial and advice among the seagoing ships. Wherever she is she is no doubt a very powerful instrument of war, and the most extraordinary piece of mechanism which human inge-

nuity has ever devised. What is the condition of the seagoing ships? I think the Committee will be prepared to hear, after all they have read in the ordinary channels of communication, that the state of many of those ships, not to put it too strongly, is anything but satisfactory. The list of 41 includes the five now building. With respect to the rest I must decline to give their names, however I may be pressed to do so. It is a very delicate matter to state to the public, British or foreign, the exact condition of every ship in the Navy. Five ships are, as I have said, being built. There are nine others that are either obsolete or considered not worth repairing for seagoing purposes. That reduces the list to 27; and of these only 18 can be considered as effective in the proper sense for service during the present year. Fourteen out of the 18 are now serviceable and effective, and 4 are under repair, and will not be ready until August next. There are 9 others which are not condemned, but which cannot be considered as effective for the service of the year. Some of them are under repair, and these will not be ready until next year. There are some now undergoing a temporary refit, which, when refitted, cannot be counted upon as good for more than a year.

MR. GOSCHEN: What ships are these?

MR. HUNT: I decline to specify them more particularly; but there are nine of the description I have stated.

MR. GOSCHEN: Will you say how many are in each category?

MR. HUNT: Three will be ready next year, and 2, when out of hand, will be fit for one year—the sanguine say for a longer time, but the best authorities say but one year can be reckoned upon. Then there are 4 ships whose boilers are nearly worn out, and which will require thorough repair. Such is the account I have to give of the sea-going iron-clads according to the best information I can acquire. Then of the 14 which are adapted for harbour and coast defence only 9 can be considered effective, of which number 8 are complete and 1 is being built; and of the 8 the *Devastation* is one. The other 5 are not worth mentioning; some of them are at distant stations where they serve certain purposes, but from which they never can be brought home. Such, according



to the best investigation I have been able to make, is the condition of the iron-clad fleet. I have no doubt it is too sanguine a view for my right hon. Friend (Sir John Hay), and too disparaging a view for some hon. Gentlemen opposite; but I offer it to the Committee as a moderate, and proper, and reasonable view to take of the case. For my part I do not think, after the history I have given of the shipbuilding operations of the last few years, that any different result is likely to be exhibited.

I am more anxious, in consequence of the absence from among us of my late right hon. Friend (Mr. Corry), whose reputation is much concerned in the matter, than I otherwise should be, to state the cost of the Naval Service since the year 1867-8 inclusive, because I want to show that that which has been called great economy was not and has been found not to be any real achievement of that nature. In 1867-8, the aggregate Votes were £10,976,253.

SIR JOHN HAY: Including Abyssinian expenditure.

MR. CHILDERS: There was an excess Vote of £340,000.

MR. HUNT: Well, I did not prepare the paper before me; but I am quite prepared to take the fact to be as my right hon. Friend states. In 1868-9, the Vote amounted to £11,157,290; but a correction of about £200,000 should be made in consequence of a different mode of keeping the accounts then and now; so that the sum voted really was nearly £11,000,000, the highest amount reached during the period to which I am calling attention, and that was the last year for which my late right hon. Friend (Mr. Corry) was responsible. It has been stated that the Estimates of my late right hon. Friend for the year were what the right hon. Gentleman the Member for Greenwich would call "transitional Estimates." It has been admitted from that bench that if my late right hon. Friend had remained in office the Estimates would have fallen by about £600,000, as the reduction did not depend upon any change of policy. I now come to the reductions which were made under the late Administration. These reductions were, I suppose, the work of political necessity, but I do not wish to go into controversial matters. I have stated facts to the Committee, and I hope in a

manner which has not been at all unpalatable to right hon. Gentlemen opposite. I suppose the reductions in question were the result of political necessity, because so much had been said about the extravagance of the last Conservative Administration, and the enormous economies that could be effected by a Liberal Government coming into office; and those views of economy recommending themselves to the country, it was almost impossible not to make very considerable reductions in the Estimates as a matter, as I have said, of political necessity. Accordingly, the Estimates next year, 1869-70, instead of being nearly £11,000,000, were £9,996,000, or, in round numbers, £10,000,000. In 1870-1, they amounted to £9,370,000, the Estimates being artificially swelled by £120,000 to meet certain extra charges consequent upon monthly instead of quarterly payments. The sum voted when that abatement was made was £9,250,000—the lowest sum to which the Estimates fell during the period I am reviewing. Well, the great political necessity having passed away, the requirements of the Navy began to be taken into consideration, and we find that in the year 1871-2 the Estimates increased from £9,250,000 to £9,891,000. In the year 1872-3, they amounted to £9,532,000, and in 1873-4, they amounted to £10,004,075; so that the late Government, with a change at the Admiralty, found the necessity of retracing their steps and of spending more money on the Navy. The proposal for this year is, as I have already explained, departmental only, they not having received the sanction of the late Cabinet; but the sum that the right hon. Gentleman thought it would have been necessary for him to propose to his Colleagues, for the Naval Service for the present year, is £10,170,000, and I wish to ask how much that is short of the sum taken by my late Friend (Mr. Corry), after deducting the £600,000 by which, it was admitted after the change of Government, he would have reduced his Estimates for 1868-9. I have not made the calculation before; but the original amount being something under £11,000,000, after the £600,000 and the £200,000 to which I have referred had been deducted, there would remain the sum of £10,350,000 as against the Estimate of the right hon. Gentleman

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for the present year of £10,170,000. I wish to know whether there could be a clearer vindication of the policy of my late Friend (Mr. Corry) than these figures exhibit? I do not wish to overstate anything in connection with this subject; but there is no question that, even after making due allowance for the very considerable increase since 1868-9 in the amount of wages and the price of coal and iron and many other materials, the right hon. Gentleman had raised his Estimates to nearly the level at which they were left by Mr. Corry. Having in view the statements I have just made to the Committee, I wish to ask whether the policy of Mr. Corry and of the late Conservative Administration was one which ought to have been derided as extravagant and foolish, and whether the so-called economical policy of the late Government was really in the true interest of the Navy and the country? I have felt it to be my duty to make this explanation in justice to the memory of my late Friend (Mr. Corry) as well as in the public interest.

I wish to explain to the Committee the position in which I am placed with regard to these Estimates. The Committee are well aware of the extraordinary difficulties under which the Government have presented anything to the House during the early days of this Session. The time at which the dissolution of Parliament took place, and the consequent change of Government, left the incoming Administration so short a time to discharge its duties that I have found it impossible to revise the Estimates which had been prepared by my predecessor, except with regard to the point of the new armament of the *Minotaur*—the necessity for which was so obvious that I did not hesitate, after a few days, to sanction the necessary expenditure for it. But the question is, am I satisfied with the provision made for the Naval Service for the year? Representations were made to me early on my accession to office that the provision was insufficient. I thought that it would be wrong of me in a hasty way to alter the figures which had been arrived at by my predecessor in his responsible position after the short time allowed me for the preparation of my Estimates; and I do not lightly estimate the responsibilities of a Minister when I place my Estimates upon the Table of this

House,—and even now I do not feel that I am prepared at the present moment to make any proposal to the Committee in augmentation of those Estimates. I, however, feel bound to say that urgent appeals for further expenditure have been made continually, and that demands which I do not see my way to refuse are daily pressed upon me, and that they are daily increasing. Representations have been made to me from the responsible officer of the Department that the number of men taken for the Dockyards is not sufficient to keep up the present establishments. I have had the assistance of my hon. Friends beside me, the Financial Secretary and the Civil Lord, in looking into this matter, and with the aid of the naval members of the Board, I have gone into the scheme of reliefs established by the late First Lord, and although I am not prepared to dispute that that scheme might suffice for the present year, the right hon. Gentleman himself will doubtless admit that it provides no margin, and that if a single important ship in that scheme came to an untoward end there is nothing whatever to take its place. In my opinion that is a state of things which is not satisfactory. I have, however, thought it my duty to look into the question of reliefs for next year, and I will lay before the Committee the information I have obtained up to the present moment. Bearing in mind what has come upon us in connection with the worn-out boilers, there will be, as far as I understand the matter, a *hiatus valde deflendus* in two of the squadrons which form part of the establishment, taking it upon the present numbers as considered sufficient by the late Administration. That is a very serious matter. I am not in a position to make any proposal to the House at the present time, and, as I have already stated, the seriousness of disputing the Estimates of my predecessor weighs very much with me because I know that he had paid very great attention to the Navy, and because I could see that in his policy he was endeavouring to correct many of the evils which had resulted from the mistaken and misconceived reduction; and therefore without very careful consideration, and without further examination, I should hesitate to announce to the Committee any proposition for additional demands upon

the public purse. I cannot, neither have I the wish to conceal from the Committee that I shall have to submit to my Colleagues in the Cabinet some further demands for the service for the year. There has been an impression in some portion of the public mind that when a change of Government took place, what was called "the old Tory notions" of expenditure and of extravagance would be revived. I do not know what those old Tory notions were, because I have never lived in those days; but I can say that my late official experience has been in a Department where expenditure is very closely watched, where it is the special duty of the Department to check extravagance in all the great spending departments; that I have come to the Admiralty with Treasury views, and that I shall feel it my duty to regard with the most rigid scrutiny any proposals for increased expenditure. At the same time, however, if I see that the exigency of the service requires it I shall not shrink from my duty in coming to this Committee and stating what I think is necessary for the public service, and my reasons for thinking so. As long as I remain at the Admiralty it must be understood that I do not mean to have a fleet on paper; that whatever ships appear as forming a part of the strength of the Navy must be real and effective ships and not dummies. It is with that view that I have taken the office which I now hold, and it is with that view that I have made the statement which I have had the honour of making to the Committee to-night. The right hon. Gentleman concluded by moving the Vote for £2,602,757 for Wages for Seamen and Marines.

Motion made, and Question proposed,

"That a sum, not exceeding £602,757, be granted to Her Majesty, to complete the sum necessary to defray the Expense of Wages, &c. to Seamen and Marines, which will come in course of payment during the year ending on the 31st day of March 1875."

MR. E. J. REED said, that if they had not heard the speech of the right hon. Gentleman the First Lord of the Admiralty (Mr. Hunt) that evening, they would nevertheless have known perfectly well that for several years past the expenditure of the Government upon new iron-clad ships had been undergoing a very rapid diminution. In fact, close

observers of the Navy Estimates must have noticed that our expenditure upon new iron-clads, the difficulty in repairing the iron-clads needing repair, and the corresponding diversion of money from iron-clads to other vessels, had been characteristics of recent Estimates. Doubtless, many hon. Members had listened to the right hon. Gentleman's statement with considerable alarm, and it was natural that many should feel disposed to greatly censure the late Government for having cut down our iron-clad shipbuilding to the degree they had done. He cared very little for the political recriminations which they must naturally expect in debates of this kind; but he was most anxious to show to the Committee that there were far larger causes than mere political tendencies and considerations underlying the difficulty in which the Committee found itself; for he thought it would be acknowledged that when they had heard descriptions like that of the right hon. Gentleman, of our iron-clad Navy, it would be found that we were in a very considerable difficulty, and he could not hold out the least encouragement to the right hon. Gentleman that he would be able to avoid Supplementary Estimates in the present year. The Committee would easily see the difficulties underlying this question. Under the old state of things a line-of-battle ship would cost £150,000, and carry 1,000 men; whereas, an iron-clad now-a-days cost double the money and carried half the number of men. If, therefore, they now desired to send the same number of men to sea as they did formerly, the idea of securing uniform Estimates was a delusion. It would, of course, be said that a great number of our ships were not iron-clads; that a very large portion of the public service was performed by other ships, and that was true; but it was also true that all the ships of to-day were much more expensive than the ships of former times, because of the introduction of sanitary and other improvements. He had been told by an official that night, that if one took the whole of the ships of the Royal Navy afloat now, it would be found that they had cost nearly 1·7 times the cost of ships in former days; or, to put it in another form, for every £100 which we had to invest in ships in the old days, we had now to invest £170 in order to carry the same number of men to sea.

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It therefore followed, as a matter of course, that if we wished to expend the same sum of money annually upon the Navy—if we had to enhance the expenditure upon ships per man in the proportion named—it was a matter of necessity to cut down the number of men in order to do it. But we did not cut down the number of men enormously. In 1869-70 the number of men was 63,000; in each of the three succeeding years, 61,000; last year it was 60,000; and the last-mentioned number appeared again in the present Estimates. Therefore, since 1869-70, there had been a reduction of only 3,000 men; and he thought, in connection with this part of the subject, that if any naval reformer should attempt to induce the present Parliament to reduce the number of men in proportion to the increase in the cost of ships, he would entirely fail in his object, for as the right hon. Gentleman the Member for the City of London (Mr. Goschen) showed last year, a very large part of the Navy was employed on service which could not—merely because iron-clads had gone up in price—be done away with. Therefore, they found themselves in this position—that if the 60,000 men were to be retained, and it was to be made practicable to send them at any time to sea, it was necessary to spend more money upon the costly ships that were now employed, for it was unwise to hide from ourselves the absolute necessity that existed for a large expenditure on those services which were the means of retaining the great possessions which this country enjoyed. If any hon. Member on the Opposition benches could show him how they could go on sending 60,000 men to sea in modern ships at the present Estimates he would be very happy indeed to hear the solution of the difficulty; but it seemed to him that it was an impossibility, and he would be sorry if this fact remained concealed amid political recriminations passing between opposite benches. Now, what were the actual circumstances with regard to the expenditure? During the first 10 years of the existence of iron-clads, when they were merely in an experimental condition, the expenditure on them had averaged £984,000 per annum; in 1869-70, the year in which the economies of the right hon. Gentleman the Member for Pontefract (Mr. Childers) were in full bloom, the expen-

diture exceeded £1,000,000 sterling, owing, it would probably be said, to the necessity for completing a number of ships which the predecessor of that right hon. Gentleman had begun. However that might be, the outlay in 1869-70 was greater than it had been in any of the previous 10 years. So great and rapid, however, had been the diminution in the expenditure on our iron-clads since then, that the average had been reduced from £984,000—the sum he had already mentioned with regard to the first 10 years—to £925,000, the average for the past 15 years; and the right hon. Gentleman the First Lord of the Admiralty had put before the Committee Estimates that evening, and had hesitated to increase them, saying that he still doubted whether he would have to ask the Committee to increase them or not, to the amount of only £660,000 for the expenditure of this year upon iron-clad ships. That expenditure was about 50 per cent less than it had been during the first 10 years of their existence when they were purely experimental, and it would surprise him if the House regarded this proposal with satisfaction. If they did, it would deprive the Ministerial side of the opportunity in the future of declaring that its policy was to correct any deficiencies they might discover in the public services of the country. Not only was the outlay on the building of these ships falling off, but the arrears of repairs were also accumulating, and although the right hon. Gentleman had given them fuller information on this head than they had been accustomed to receive, still it was incomplete, and it left a great doubt in his mind as to whether it was the intention of the Government to bring the existing iron-clads as far as possible into a state of efficiency during the year, that being, as he thought, the least duty of the Administration. Was there anything to justify this enormous diminution of expenditure upon iron-clads—this setting aside, he might almost say, of the iron-clad as one of the things on which we counted most in connection with the armaments of the country? In the autumn of 1872 he ventured in the columns of *The Times* to draw attention to our iron-clad Navy as compared with that of foreign Powers, and there followed an official contradiction, not of his statements, but of himself; for whereas his

affirmation had referred to the rate of progress in the construction of iron-clads, the reply was, that we were very strong in those vessels, and that was quite a different matter. He had the satisfaction of finding, however, that the Admiralty immediately afterwards pressed on the work to which he had referred. That was just what he had wanted, and it was well to be content with accomplishing our objects, though we got a little ill-usage in the process. He would mention another objection that he had to the Estimates of this year. Before he left the Admiralty, foreseeing the necessity for increasing the number of armour-plated ships, and believing that the day would come when some foreign Power, wiser than we, would adopt the Whitworth gun, which penetrated armour beneath the water, he prepared a plan of such a vessel as he thought was required, and this plan, which he had kept secret from everyone except the confidential draftsmen and the Controller of the Navy, he left in the possession of the Admiralty. While the excitement prevailed, a year ago, about building more ships, the right hon. Gentleman (Mr. Goschen) came down to the House and spoke in very glowing terms of a vessel which he proposed to construct. The designs were explained minutely to a Committee of 16 gentlemen called together for the purpose, and he was surprised subsequently to find an account of the plans offered him in Germany, and it was known also in Russia some months before it was published in England. Somehow private documents on these subjects did reach foreign countries, and in the present instance the system which had been so much extolled in the House by the right hon. Gentleman had been adopted by foreign Powers. The system to which he referred was that which had been proposed for the *Inflexible*, and it was precisely the one which he had secretly prepared in outline for the Admiralty. The right hon. Gentleman having undertaken to push forward the building of the ship, failed to perform this task, and the tenth part which he proposed to execute during the year dwindled down to a hundredth part. The work done represented only 79 tons out of a total of 8,000, and he trusted the House would not think it too much to urge the Government to make much greater exer-

tions than were proposed in the construction of the *Inflexible*. The amount of tonnage to be built in the iron-clads now in course of construction was to be reduced to an extent that made some of the figures in the Estimate seem to him incredible. He more particularly referred to the *Thunderer*. The reason seemed to be to test the *Devastation* still further in some way or other, and until that was done it seemed that the *Thunderer* was only to have 231 tons added between this time and the 31st March, 1875, leaving more than 500 tons still unfinished. He could not understand such a policy, and it appeared to him to be perfectly incredible that any Minister should make such a proposal. The argument which led the right hon. Gentleman to take that course, if allowed to influence the mind of a naval administrator, must bar his action whenever he was called upon to do anything which was really right and wise. He hoped, however, the Committee would not sanction a proposal to keep the *Thunderer* in an unfinished state during the whole of the year. It was one of the advantages of our Dockyards, that emergencies of that kind could be met by simply employing more men on the ships we were engaged in building, and the present Government would, he felt satisfied, give great satisfaction to Members even on the Liberal side of the House who took an interest in the Navy if they would undertake to proceed a great deal further with the *Inflexible*, the *Fury*, the *Thunderer*, and the *Superb*, so that the country might feel that the fleet of the future was not meant to be a phantom fleet, a fleet on paper, as the right hon. Gentleman had promised. He was afraid, however, that if the policy which the right hon. Gentleman had indicated were to be followed, we should be a long time in arriving at that result with regard to some ships.

MR. HUNT said, the hon. Member had misapprehended him. He had stated that he was determined to have an efficient Navy, and for that purpose, after consultation with his Colleagues, he trusted to be enabled to propose some additional Estimates. In the meantime, he contented himself with moving the Estimates of his predecessor in office.

MR. E. J. REED said, he was glad to receive that explanation from the right hon. Gentleman, because the less he



followed the Estimates of his predecessor in this matter the better he should be pleased; and although it might seem a strange thing that increased expenditure should be urged from his side of the House, yet until it was recognized by the House that the circumstances of the Navy demanded an increased relative expenditure upon ships as compared with men, nothing effectual would be done. He would add that it was one thing to build and repair our iron-clad fleet, and another thing to use our ships properly when we had got them. That we had not hitherto dealt properly with our iron squadron, he was sure the naval Members of that House would support him in maintaining, and upon one point he wished to impress the House very strongly. We had not worked out the problem of naval tactics and manœuvres to the extent we ought to have done, nor had we placed at the disposal of the Admiral in command a sufficient supply of coal for the purpose. He did not mean that a great increase of coals should be given to the Admiral to do what he pleased with; but the time had, in his opinion, arrived when it should be made the duty of the Admirals of our Channel Reserve squadrons to meet in the autumn and to carry out a proper programme, which they should be furnished with after due deliberation at the Admiralty. If we did not take more pains in the development of naval tactics we should, he was afraid, find ourselves in a very unfortunate position in time of war. Another point to which he desired to direct the attention of the First Lord of the Admiralty was that with respect to compound engines. It was doubtful whether we might not suffer from the general adoption of compound engines in time of war, and it was desirable that we should make provision for using low pressure steam in action. He would further observe—after complimenting the First Lord of the Admiralty upon the appointment of Captain Evans, R.N., as Hydrographer—that we seemed to be in a somewhat unfortunate position with respect to the surveying service, and the House was, he thought, entitled to further information as to what surveys were in progress, and how they were being carried on. The result at present was, that the only use of the official documents sent in by surveying ships was to supply the Chairman of the Royal Geogra-

phical Society with a paragraph for his annual address. The surveying service had not, in his opinion, a farthing too much expended on it; but the country ought not, he maintained, to be left in such complete ignorance as to its objects and results. In conclusion, he might say that while he congratulated the late First Lord on the establishment of the Naval College at Greenwich, he observed the disappearance of a former Vote for a Director of Admiralty Education, and trusted this was not to be taken as evincing an intention to leave the superintendence of education to the admiral in command of the College, who had other duties to perform.

SIR JOHN HAY thanked his right hon. Friend the First Lord of the Admiralty, not for his Estimates, which he thought were insufficient, but for the clear and candid statement he had made to the House as to the state of the Navy generally; above all, he thanked him for his excellent defence of his lamented Friend, Mr. Corry, from all the slander which had been heaped upon him. The memory of Mr. Corry, he felt sure, would never be forgotten as that of the civilian in this country who best understood the wants of the Navy. He intended, he might add, to move to-morrow for a Committee to inquire into the state of our Iron-clad Fleet, but after the statement of his right hon. Friend, he did not think it would be necessary for him to take up the time of the House on the subject, or to force the right hon. Gentleman's hand, which would be unfair to one newly come into office. With regard to Vote 1, his right hon. Friend had mentioned the sums of money which had been appropriated to the public service, but he did not mention the number of men, and they ought to be contrasted, because in former days the number of men ruled the amount of money voted for the Navy. The sum appropriated to the Naval Service in 1868-9 was £10,806,690, and the number of men voted in that year was 67,120; but in this year's Estimates, which amounted to above £10,000,000, only 60,000 men, or 7,120 fewer, were provided for. Therefore, when the reduced expenditure was spoken of, hon. Members ought to remember that the Navy itself had been reduced both in the number of men and the quantity of supplies, as well as in the number of ships, of which



so sorry an account had just been placed before the Committee. The Marines had been reduced from 14,700 to 14,000, and the seamen and officers from 52,070 to 46,000. He would now call attention to the charge on the other Votes. In 1868-9, the last year in which he had had a share in the administration of the Navy, the Vote for Victuals amounted to £1,335,842. It was now £1,064,264, or nearly the same sum for 7,000 fewer men. Again, a vast deal had been said of the great advantage which was to accrue to the country from sundry reductions which were made at the Admiralty by the right hon. Gentleman the Member for Pontefract. Well, in 1867-8, the charge for the Admiralty was £176,018, and this year it was £178,066. In addition to that, the Civil Pension List had increased from £176,000 to £214,300. The violent reductions which were made threw a number of gentlemen out of work, but they continued to draw their civil pensions, and had been replaced by persons of less experience, who would also have to be pensioned eventually. As to the Vote for Stores, it amounted in 1868-9 to £892,908, but this year, although the number of iron-clads was smaller, the amount was £1,143,159. In 1869-70, this Vote was reduced to £801,789, as the Navy was living on the stores accumulated by former Administrations. Referring next to the Building Vote, he wished to point out that the number of men employed in shipbuilding in 1868-9 was 5,439, and that the number employed in repairing was 9,815, making a total of 15,254 men, exclusive of the 4,000 engaged as hired men during six months of that year. But in 1870-1 the building men were 6,349 in number; while the number of men employed in repairing was reduced to 4,793, or about one-half the number which had always been considered necessary to maintain our Fleet in its proper condition. In fact, it was owing to the reduction of the men employed in repairing that the iron-clad fleet was in the disgraceful condition reported to the House to-night by his right hon. Friend. The fact was, that the men had been reduced to 11,000, while it had been stated by a noble Duke (the Duke of Somerset) that 18,000 was the lowest number of men that ought to be employed in our Dockyards. That number, however, had not been

reached since the noble Duke himself was in office. In the Estimates of this year the right hon. Gentleman (Mr. Goschen) had increased the number of repairing men to 9,497; but, unfortunately, we had only 4,700 men for building. He was represented by his right hon. Friend as taking the pessimist view of the condition of the Fleet. Well, he would state his opinion of the condition of the Fleet, and leave the future to be the judge between his right hon. Friend and himself. He would now refer to the subject of restoring the rank of major to the Marine service. There were three so-called seniority corps in Her Majesty's Service—namely, the Royal Engineers, the Royal Artillery, and the Royal Marines. Till 1798 the officers of the Royal Marines rose to the rank of major, but in that year the corps was deprived of the rank of major in order to assimilate it to the corps of the Royal Engineers and the Royal Artillery. Within the last two or three years the rank of major had been restored to the Engineers and Artillery, and a considerable number of senior captains of Marines were being passed over constantly by officers of corresponding rank in the Engineers and Artillery, who were obtaining the rank of major. He brought this subject forward last Session, when the right hon. Gentleman the Member for the City of London made a sort of promise that, as far as the Marine Artillery were concerned, the rank of major should be conceded. It was to be hoped that that promise would be carried out in both branches, and he hoped the gallant corps of Royal Marines would no longer be deprived of the rank of major, to which they had so strong a claim in consequence of its having been restored to the other seniority corps. The gallant manner in which Colonel Festing and his Marines had borne the brunt of the Ashantee War in the worst months ought to induce the Government to do justice to a portion of our Force which had, not only upon that, but upon all occasions, displayed such gallantry. With respect to the condition of the iron-clad fleet, he would refer to a Return he had recently moved for. He wished to call the attention of the Committee to the condition of our iron-clad fleet as it was reported to the House by the right hon. Member for Pontefract (Mr. Childers) on

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the breaking out of the Franco-German war, and he would then compare it with its present condition. On the breaking out of that war, the right hon. Gentleman, in reply to some observations which he (Sir John Hay) addressed to the House, said that there were 28 broadside iron-clad ships and 12 special ships then ready for sea.

"What I have said," remarked the right hon. Gentleman, "are plain official facts of which there is no doubt. . . . There are 5 in the Channel Fleet, 8 in the Reserve, 6 in the Mediterranean, 3 on distant stations, and 6 fitting out. . . . Of the 12 special ships, 2 are of the first class, 4 of the second, 1 of the third, and 5 of the fourth."—[3 *Hansard*, cciii. 1350.]

Although he believed that there were three short of the number, three having been launched afterwards, he was not going to contest the official figures of the right hon. Gentleman; but what was the condition of the ships? The *Hercules* and *Sultan*, the two first-class ships of the Navy, were in good condition. The *Audacious*, the *Invincible*, the *Vanguard*, the *Iron Duke*, the *Swiftsure*, and the *Triumph* were built by the Conservative Government, and were all serviceable. The *Bellerophon*, he believed, was also serviceable. The *Lord Warden*, now in the Mediterranean, had her boilers very much worn out, and her hull in a bad state. The *Lord Clyde* had been in a wretched condition for a long time, and the right hon. Gentleman could only recognize her as a gigantic mushroom bed, seeing that he (Mr. Hunt) had been shown a prodigious mushroom which she had produced, and which in the space of 24 hours had grown 24 feet. The *Minotaur* was at present re-fitting, and was not as yet ready for sea; but, no doubt, as his right hon. Friend had promised to improve her armament, she would be made in time, a good serviceable ship. The *Agincourt* and the *Northumberland* both had their boilers much worn. [Mr. CHILDERS: Is the right hon. Gentleman reading from the Return?] He was not, but he was giving some information additional to the Return, which would be found to be correct, though he might be told he was speaking from the pessimist point of view. The *Royal Alfred* was completely worn out in her boilers and hull. The *Repulse* was in good order, but the *Penelope*, he believed, had her boilers in a bad condition, and the ship in her present state

was useless for the line of battle. The boilers of the *Achilles* were worn out, but were being replaced by new ones. The *Royal Oak*, the *Prince Consort*, the *Caledonia*, the *Ocean*, had not only their boilers worn out, but their hulls also, and were not worth repair. The *Valiant* and the *Hector* had their boilers worn out, and so had the *Zealous*, and her hull was much out of repair. The *Warrior* had her boilers in good condition, and so had the *Defence* and *Resistance*, but the *Black Prince* required new boilers before she could be considered fit for service. The boilers of the *Pallas* were good, but the boilers of the *Favorite* were worn out. The *Research* was in good condition, but the *Enterprise* was worn out in boilers and hull. This completed the list of the broadside armour-clad ships of the Navy. He should not weary the Committee by going through the turret and special vessels; but the *Monarch*, one of the most powerful ships in the Navy, was about to be commissioned with boilers, in which the pressure was reduced. In this year's Estimates it was proposed to repair the *Minotaur*, and, thanks to his right hon. Friend, she was to have a new armament, the money for which was not included in the Estimates before the House. It was also proposed to repair the *Hector*, the *Hercules*, the *Achilles*, the *Black Prince*, the *Valiant*, the *Audacious*, and the *Penelope*. But there were 10 ships—namely, the *Agincourt*, the *Northumberland*, the *Lord Clyde*, the *Lord Warden*, the *Caledonia*, the *Ocean*, the *Prince Consort*, the *Royal Oak*, the *Zealous*, the *Favorite*, the *Enterprise*, and the *Royal Alfred*, which were not worth repairing, and which ought to be rejected at once from the effective force of our iron-clad Navy. No Estimate was taken for repairing the *Monarch*, the *Prince Albert*, and the *Royal Sovereign*, which also required repair. He now wished to point out how little had been done to build new ships for the Navy in the last five years. Of the iron-clads laid down by the late Administration only one, the *Rupert*, had been completed, except the four harbour-defence ships of the *Cyclops* class. So far as concerned the building of the *Repulse* and the *Monarch*, they were completed all but seven-eighths of an eighth during the time he had the honour of being at the Admiralty. There were 10 iron-

clads which they had in hand, and so far from their being in the condition which the right hon. Gentleman mentioned at Bristol, out of 80 eighths into which they were divided, 35 eighths had been completed before he and his Colleagues left office, and the remaining 45 eighths was leisurely done in the two or three following years. He wished now to call the attention of his right hon. Friend to the condition of the only five ships which were coming forward—the *Superb*, the *Téméraire*, the *Inflexible*, the *Fury*, and the *Shannon*. Something also was to be done with the *Thunderer*, but he agreed with the hon. Member for Pembroke (Mr. E. J. Reed) that they might proceed with the *Thunderer* somewhat more leisurely in order to push forward the ships which were so much behind. The number of men employed on our iron-clad fleet was 2,821, an increase of 401 upon the number employed last year. Last year, 6,705 tons were estimated for, but only 4,475 were built. This year it was proposed in the Estimates to advance 8,022 tons; but if 2,420 men could only build 4,475 tons last year, it was quite evident that fewer men were taken this year than would be required to build the amount of tonnage proposed to be built. He ventured to say that in this particular these were very foolish Estimates. In the first place, 8,022 tons was too small an amount of tonnage to build, and, in the next place, the men taken to build this tonnage were too few even for that purpose. The *Superb* it was proposed to advance to 56-100ths, or little more than one-half; but if the money voted last year and the year before had been expended, she would have been advanced as far as that now. The estimated advance for 1872-3 was 1,500 tons, and £82,500 was voted; yet only 191 tons were built, and only £9,500 expended; so that the arrears of work in 1872-3 were 1,309 tons, and the arrears of expenditure amounted to £73,000, which must have been applied to some other purpose. In 1873-4 it was proposed to advance her 2,087 tons, but only 1,265 tons, or little more than half of that was done, and the arrears were 822 tons, or £42,900 in expenditure. In the original estimate of the cost of this and other ships, a proportion was taken for labour and a proportion for materials, but this information was not now given. No

approximate sum was given of what was expended on material, and some explanation should be given of the cause of this omission in the table of ships building. In the Estimates for 1872-3 and 1873-4, the *Superb* was proposed as a most powerful steam ship, with 9,000 indicated horse-power for engines; that horse-power was now reduced to 8,000, which seemed insufficient, and no explanation of that reduction had been given to the Committee. The progress made in the *Téméraire* was equally lamentable. She was estimated to cost £281,000, and was to have engines of 7,000 horse-power. She was to have been advanced to 1,162 tons, and instead of that only 354 were built, so that the arrears were 880 tons on that small estimate. They were now invited to advance her to 1,826 tons, and the number of men was totally insufficient to do the work. The date of completion of the five ships building—namely, *Superb*, *Téméraire*, *Inflexible*, *Shannon*, and *Fury*, was stated to be uncertain in the Return now in the hands of hon. Members. This was the condition of the five iron-clads which ought to have been built, which were handed over on paper, and which the right hon. Member for the City took credit for. With all respect for his naval Colleagues, he wished to say it was discreditable that the late Board of Admiralty should have allowed the Navy to get into its present condition. It was the duty of the naval officers of the Board, if they saw it getting into that state, to have resigned their seats, and not to have lent their countenance to an Administration which had done so much mischief to the profession. He had the greatest respect for Sir Alexander Milne, with whose personal friendship he had long been honoured, but he said that if he could not convince the right hon. Gentleman opposite of the necessities of the service and the danger of our ships falling into decay, it was his business to have resigned. That was the course which he (Sir John Hay) and his late lamented Colleague (Admiral Seymour) adopted, and the result was a change in the Estimates for the purpose of adding to the armour-clad Navy. No doubt, the right hon. Gentleman the Member for the City was anxious to remedy the mistakes and blunders of his predecessor; he gave him credit for what he did with such an Administration as that to

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which he belonged, who were pledged to parsimony, and whose sole object seemed to be to discredit the Navy. He had criticized the Estimates, which were the Estimates of the late Administration, as he would have criticized them had he been sitting on the Opposition benches, and he condemned them as insufficient for the public service, and he gave the First Lord credit for his announcement that when he was more completely master of the subject, he would seek to restore the Navy to a decent condition, or at least to rescue it from the deplorable condition in which it was now left.

MR. GOSCHEN said, he anticipated receiving the sympathy of both sides of the House on this account—that three elaborate speeches having been made against the Estimates for which he was more or less responsible, he laboured under the disadvantage of having to reply to those speeches on the spur of the moment, and of being required to remember the innumerable charges which had been made, while in such a case the attack had a great advantage over the defence in the careful preparation of all statements that were to be advanced. Under these circumstances, he hoped the Committee would not be dissatisfied if he made out that the case was not so black as it had been painted. He thought that even the right hon. Gentleman the First Lord of the Admiralty would not be sorry if the effect of the speech of the right hon. Baronet (Sir John Hay) was somewhat mitigated, preceded, as it was, by the far more cautious, but also far more important, statement of the First Lord. One circumstance he greatly regretted, and that was that the speech of the First Lord was not made before the delivery of the Budget by the right hon. Gentleman the Chancellor of the Exchequer. But five days ago, when the surplus was settled, a very delicate and slight allusion was made to the possibility of Supplementary Estimates which might be called for by unforeseen circumstances, and it was said that the Estimates submitted by the Government might be taken to be substantially those of their predecessors. He could not understand the discrepancy now revealed; but he was glad of one thing, and that was that this debate had occurred before the proposals of the Chancellor of the

Exchequer were finally settled. After the important speech of the right hon. Gentleman the First Lord of the Admiralty this matter could not be disposed of without much further discussion; and without acting up to the views which evidently were in the mind of the right hon. Gentleman, he (Mr. Goschen) would promise on the part of the Opposition, that every proposal he might make for additional expenditure should be examined with the greatest anxiety to arrive at the truth, and not with any view to prove that his (Mr. Goschen's) own Estimates were adequate to the occasion. It was far more important that the country should be satisfied the Navy was in an efficient condition than that his own Estimates should be vindicated. The right hon. Gentleman had gone into a comparison of the Estimates for the last six years; but he (Mr. Goschen) had hoped that that night they might have discussed the Navy Estimates in a different spirit; he had thought they might possibly have done with what had happened six years ago, for year after year precisely the same comparisons had been made, and he was sorry that they were a legacy from one Parliament to another. The right hon. Gentleman had been a comparatively short time in office, yet from his speech it appeared that the greater part of his time had been occupied in obtaining comparative historical statistics with regard to what had been done by different Administrations instead of devoting himself to the more essential part—namely, the present state of the Navy. He (Mr. Goschen) hoped that that would be the last time of its occurrence, and that in the future they would be able to discuss the Navy Estimates without continually recurring to the past, and he trusted that not even the spirit which that debate had assumed would cause his late Colleagues or himself to depart from the resolution at which they had arrived, which was that they would discuss the Navy Estimates, so far as they could, without any party spirit whatever. The right hon. Gentleman would now have great responsibility. For himself, he (Mr. Goschen) had not been free from anxiety and responsibility; he had had a very difficult task, to which, possibly, the right hon. Gentleman had scarcely given adequate consideration, for on



comparing the present with preceding Estimates, the right hon. Gentleman did not mention one important consideration, or only mentioned it as an after-thought—that coal, iron, and wages, everything entering into the composition of the Estimates and the cost of ships, had risen enormously in price. During a time like that, in which it was his duty to preside at the Admiralty, though he knew that they would be exposed to the obloquy of spending more money and increasing the Estimates, he said to his Colleagues in the Government that they must not shrink from asking increased sums to be voted, in view of the increased price of such articles as he had enumerated, and they had not shrunk from doing so. It was to be hoped that the right hon. Gentleman intended making up the arrears in a similar way, for the comparatively small sum of £150,000 would not meet the kind of objection to which the right hon. Baronet the Member for Stamford and those who seconded his views directed attention. For two or three years the Estimates had been rising, and now the turn of the right hon. Gentleman opposite had come would he shrink from acting up to his opinions, and placing on the Table Supplemental Estimates adequate to what he conceived to be the necessities of the case? They had been taunted with arrears; did the right hon. Gentleman mean to make them up? The hon. Member for Pembroke (Mr. Reed) had spoken with great candour, and told them that the state of the iron-clads was such that they should not be content with the progress sketched out in the Estimates, but that they should be finished as fast as possible by placing on them as many men as they could get. That was an intelligible course, but he (Mr. Goschen) did deprecate any Minister standing up in that House and giving a picture of the Navy which might alarm the country, and which would have its effect upon foreign countries; while at the same time that Minister did not take adequate action and deal with the matter in a bold and broad spirit. The hon. and gallant Member for Devonport (Captain Price), in the early part of the evening, said that for five years the Conservative party had been denouncing Dockyard economies as practised by the late Government; he accepted the challenge of the hon. and gallant

Gentleman, who had very properly said, either let them be acquitted of the charge, or let the evil be remedied. But to tell the country that they had been starving the Dockyards, that what had been done was insufficient, and yet to abstain from measures to correct the evil, while they had a surplus of £6,000,000, could not be endured. If the late Government had left the Navy inefficient, they had at least given their successors a surplus of between £5,000,000 and £6,000,000 to put it right, and he therefore asked the Government not at the same time to denounce their parsimony, while taking advantage of their surplus to apply it to other objects. But now, with regard to the charge that they had done nothing during the five years they had been in office, they had, within 200 tons, added the respectable figure of 100,000 tons, or 20,000 tons of shipping a-year to the Royal Navy. With regard to himself, it had been his duty to propose to the House and receive its sanction for the commencement of nearly 50 men-of-war during the last three years—four iron-clads, 10 corvettes, eight sloops, three double-screw gunboats, 11 sea-going gunboats, 10 coast-defence ships, a troop-ship, and a brig. That might not be a very sensational programme, but he thought it was sufficient to show they had not been idle, and if they considered that in five years he had added 100,000 tons to the shipping of the Navy, and received the sanction of Parliament for the commencement of 50 ships during the last three years, it would show that, at all events, he had not been insensible to the wants of the country. At the same time, he must candidly say he had during the last three years to contend against difficulties which had thrown them back more than he liked with reference to shipbuilding of various kinds. It had, therefore, been his duty to propose the addition of 700 men, and last year he also asked for 600 more men to complete the work undertaken. For those connected with the administration of the Dockyards and with shipbuilding in them, had found during the last two years that the cost of repairing the iron-clads had been much greater than was anticipated, and was that to be made a reproach to them? They had taken extreme pains with the Dockyard officers to estimate the number of men



that would be required to carry out the programme in its entirety. They asked how many men would be required for repairing such and such ships which were inserted in the programme; but, notwithstanding this precaution, they had been greatly disappointed. The right hon. Gentleman the First Lord of the Admiralty did not state the number of men that would be required to repair the iron-clads; but he (Mr. Goschen) would do so. The *Warrior* required 425 men, while only 351 were estimated; the *Defence* required 320, while the estimate made was 144; the *Resistance* required 270, while only 159 had been estimated. It would, therefore, be apparent to the Committee that if the men required thus exceeded the estimate, unless the estimate was to be greatly exceeded the men would have to be taken off other work. He now came to a point with reference to which he asked the attention of the hon. Member for Pembroke (Mr. Reed) and he was glad to meet that hon. Gentleman in the House rather than have to reply to him in the columns of a newspaper. The hon. Gentleman alluded to a controversy that had taken place respecting the state of our iron-clad Navy, and spoke of a fallacy which he thought had been introduced into it. It would be remembered that in a letter which he addressed to the newspapers, the hon. Member rather scared the public by the account he gave of the *Peter the Great*, which was to steam into our ports and find no vessel able to resist her. The general impression was, at the time, that the hon. Member was speaking of the present, though he now called this a fallacy. It certainly was the fact that the iron plates of the *Peter the Great* had not at the time left this country, but were still at Sheffield. Now, if the *Devastation* was not to be classed as a sea-going ship, he (Mr. Goschen) trusted that the same reservation would be applied to vessels like the *Peter the Great*. He found that it was always English ships which suffered from these disparaging comparisons, and that those who made these attacks upon our ships as obsolete, actually adduced as examples for intimidation, the ships of other countries which were still more obsolete. The right hon. Gentleman the First Lord of the Admiralty deprecated any public statement of the condition of any ship in the Navy, but his

appeal did not have much effect upon the right hon. and gallant Gentleman (Sir John Hay), and the public would have to-morrow his pessimist account of the state of the Navy, without being able to compare and correct it with the First Lord's official statement of the condition of these ships. There was another subject of great anxiety which had prevented the late Admiralty from carrying out their programme as they could have wished, in relation to which it might be interesting to the Committee to receive some figures as to unarmoured ships in order that they might realize the course which lay before them if they intended to act upon those pessimist views. The late Government had to repair unarmoured ships, and had devoted a considerable amount of their resources to that purpose; but if they had neglected them, they would have been told that they had no ships to send to foreign stations, and that they had allowed this useful class of vessels to fall into arrears. During the last three or four years the ships of the most modern construction required a stupendous outlay in repairs after a very short time. The *Eclipse* was launched in 1867, and after being in commission four years she cost £21,000, or 33 per cent on her original cost for repairs. The *Sirius* was launched in 1868, and after four or five years' work, her original cost having been £62,000, her repairs cost £21,000. The *Nymph* was built in 1866, and after four years' work, her original cost having been £63,000, her repairs cost £30,000. The *Juno*, a vessel of 1,400 tons, was launched in 1867, and, her cost having been £72,000, he received proposals for her repair at a cost of £36,000. These vessels had absorbed so large an amount of the time of the Dockyards in their repair that they had made it excessively difficult for the Admiralty to keep time in their programme, and, in fact, none of their scientific advisers had been aware until the last two or three years that the timber and boilers of these vessels would wear out so fast. In the first place, then, the late Government had had to contend against dearer coal, higher wages, dearer iron, and dearer materials of every kind; next, the iron-clads which had come upon the Admiralty for repairs had taken almost twice the number of men that had been anticipated; and, in

the third place, it had been found that ships of modern construction, which might have been expected to last through two commissions before they required great and serious repairs, now came up for repairs after one commission. That was the state of things which the late Admiralty had to deal with during the last few years, and it was not, he thought, a bad account of their stewardship to state that they had added 100,000 tons to the Navy. The right hon. Gentleman the First Lord of the Admiralty had truly said that these were not the Estimates of the late Government, but that they were departmental Estimates. Being departmental, they might be regarded as maximum Estimates, as a Cabinet was apt to question whether Estimates were not too great, rather than to complain that they were not greater. What they had to ask themselves was this—looking to the fact that the cost of building ships was very much greater than it used to be, and that the repairs were more costly and extensive, the question remained, how Parliament was to deal with this state of things? Were the Government to go on increasing the Navy Estimates in every direction, and were they to look exclusively at the state of the British Navy, without looking to the armaments and shipbuilding of foreign countries, or were they not rather to take stock of all these considerations, and at the same time go forward with caution and prudence? He had yet another reason to give for the non-fulfilment of their programme. There had been very great difficulty in the delivery of iron owing to the extraordinary and abnormal position of the iron trade, and the late Board of Admiralty pressed repeatedly for the delivery of iron for the *Téméraire* and another ship, but it was impossible for a long time to get it. Special iron was required for all these particular ships, a special order had to be given, and it was difficult to get the orders executed. He only hoped the right hon. Gentleman would be fortunate with his deliveries as regarded the programme of this year, and that he would not suffer as the late Board of Admiralty had suffered, without any fault of their own, from the non-delivery of iron. The First Lord of the Admiralty stated that at the present rate of progress the *Thunderer* would not be

completed till October, 1875. But why would not she be completed till then at the present rate of progress? The story was told in the Estimates, and it was this—that a most important experiment was to be tried upon the *Thunderer*, with regard to loading by hydraulic machinery. A contract had been made with Sir William Armstrong for carrying this out, and an important experiment was being tried on the turrets of the *Thunderer*, which involved considerable delay, and the work of which was by no means of an ordinary character. But the *Thunderer* could be finished, if it was desired to complete her beforehand, at a much earlier period. That experiment had been one of very great interest. It would enable the *Thunderer* to mount very much heavier guns than the 35-ton guns which she already had, and, looking at the state of Europe, the late Board of Admiralty thought it was not necessary to complete the *Thunderer* to the prejudice of a new mechanical experiment, which might be of the greatest advantage to ships that we might build in future. If the hon. Member for Pembroke had been in the House last year, he would have known that the late Board of Admiralty were urged not to proceed with the building of the *Fury* until experiments had been made on the *Devastation*.

MR. E. J. REED said, his complaint was that, in addition to the 200 tons on the turrets, there were 500 tons on the hull not to be completed.

MR. GOSCHEN said, the ship was practically completed, except as to the turrets; and the 500 tons was equivalent to so much more money to be spent for men and material. That led him (Mr. Goschen) to the comparatively small amount of iron-clad ships that had been built during the last two or three years. The delay had not been an unmixed evil. The late Board of Admiralty were desirous of avoiding the building of iron-clads which in a few months might be pronounced out of date. The result of the delay had been that they received most important suggestions as to modifications of the design for the *Inflexible*, which had made her infinitely more powerful than she would have been if she had been proceeded with before. The noble Lord the Member for Chichester (Lord Henry Lennox) last year urged that no new iron-clads of

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the first class should be laid down till the *Devastation* had been tried. In that view nothing could have been more imprudent than to rush into the construction of new iron-clads before the type had been finally settled by naval architects; and while experiments were being tried, the late Board of Admiralty did their best to increase the number of our unarmoured ships, a course which was approved by the House, for unarmoured ships were as necessary for their purposes as iron-clads were for theirs, not to take into account the fact that through the chief efforts of the Admiralty being concentrated on iron-clads for five or ten years, the number of unarmoured ships had fallen into arrear. He therefore maintained that the late Board had endeavoured, taking Parliament Session after Session into their confidence, to arrive at the best programme they could, and their only regret was that, owing to the causes which he had stated, they had not been able to proceed so far with that programme as they had anticipated. He wished to say a few words as to the state of the iron-clad Navy as placed before the Committee by the right hon. Gentleman. The words "obsolete," "inefficient," and other epithets of that kind were very difficult of definition. What did an obsolete iron-clad mean? Did it mean an iron-clad that had  $4\frac{1}{2}$  inches of iron? An iron-clad with  $4\frac{1}{2}$  inches of iron might be obsolete when sent against ships of superior power, but it was not obsolete when sent against ships plated with a similar thickness of iron. He should have liked the right hon. Gentleman when he presented his statement as to the number of ships requiring repair, to have stated whether it was ships of the best class or ships of the worst class that most required repair. He was glad that even the right hon. Baronet the Member for Stamford had said something re-assuring on that point. The right hon. Baronet had said that the *Sultan*, the *Audacious*, and her sister ships were in excellent repair, and in those vessels combined with the *Monarch* and the *Devastation*, we really possessed an enormous force, because we must estimate the force of our Navy not by the numbers, but by the qualities of our ships. He did not wish the doctrine to be spread about that these vessels could not hold their own in the Channel, for he maintained they could sweep it without being sup-

plemented with other ships. Other countries had ships whose boilers required repair, and there was no steam packet company with all its boilers perfect; indeed he wished the Committee could read the debates which took place in France and America on the subject, for those countries possessed corresponding critics to the right hon. Baronet the Member for Stamford. Boilers must be in various stages of repairs, and the difficulties on this head belonged to all Administrations. The right hon. Gentleman (Sir John Hay) had stated that the First Lord's guarded account of the state of our Navy showed it to be in a disgraceful state. The right hon. Baronet, however, himself admitted the first 10 of the 41 sea-going ships to be in excellent order, and at any period of our history there must be a certain number of ships coming in, after four years' service, which required new boilers. That accounted for six or seven more, and unfortunately, many ships having been built at about the same time, their boilers had to be replaced at the same moment. The boilers, however, were quite ready for them, as shown by a Return moved for by the right hon. Baronet. The charge, he presumed, was, that boilers had not been put into all the ships early enough; but would the First Lord pull ships to pieces and put in new boilers as soon as the old ones were three or four years old? If boilers were to be at all times in first-rate order the additional expense would, he predicted, be more than hundreds of thousands, and this would be pursuing a policy not adopted by any other country. He trusted the boilers would be kept in sufficient repair; but if the Admiralty were to be blamed if there were six or ten boilers at any time on which pressure had been reduced, the practice of all previous Administrations would have to be reversed. He regretted much that he had felt it his duty to make any remarks of a controversial character; it had not been his intention to do so, but after what had been said he had felt it his duty to touch upon the various subjects, and he thanked the Committee for the attention with which they had listened to him. He did not wish these alarmist statements to go forth uncontradicted to the country, and he would only conclude by saying that if the right hon. Gentleman the First

Lord made out a case for increased expenditure, he would promise him that it should not be criticized, as far as his own influence went, from a party point of view. If the right hon. Gentleman had simply spoken of lagging behind for the last two years, leeway might easily be made up; but if he imputed such a fault to the last five years he would find it his duty to submit very different Estimates. If the notion that every ship was to be efficient were pushed too far, we should not have so many ships at sea for the training of our men, for the most liberal House of Commons would at length be staggered by the expense incurred. During the last ten years our unarmoured as well as armoured Navy had had to be reconstructed, and of the ships built previously to 1860 or 1865 very few remained. He had always advocated Estimates sufficient to keep the Navy in a proper state with reference to its duties, but he deprecated alarmist statements, and if the First Lord thought that whenever an important ship broke down there should be another to fill her place, whether she was immediately wanted for any special service or not, and that there must be a certain number of ships in commission, whatever the requirements of the public service might be, he did not wonder that he spoke of difficulties. There was now a Reserve, however, in the Flying Squadron formed by his right hon. Friend (Mr. Childers); and from that Reserve ships might be detached when there was real occasion for the presence of another ship on any foreign station. He had hoped and still hoped to co-operate with the First Lord for the benefit of the Navy and the Service. That right hon. Gentleman was surrounded by naval men in whom he (Mr. Goschen) himself had the greatest confidence, and by professional men of the highest ability. Two of his naval advisers were summoned to the Board of Admiralty by himself, and the third, Lord Gilford, was appointed by himself to a responsible position at Portsmouth. On the professional questions, therefore, the First Lord would have the best advice, and any supplementary proposals he might make would be candidly considered by himself.

MR. SCOURFIELD thought that the statements they had listened to that evening went to show that those hon.

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Members who, like himself, were afraid that the Chancellor of the Exchequer had over-estimated the amount of the surplus, were justified in holding that opinion. If the naval expenditure was to be so elastic, they might expect that the same elasticity would extend to other branches of the expenditure, and that consequently the claims upon the Revenue would be considerably increased.

Motion made, and Question proposed, "That the Chairman report Progress, and ask leave to sit again."—(*Mr. Samuda.*)

MR. GOSCHEN asked when the debate would be resumed?

MR. HUNT: I am not able to say at present; probably not for a week.

*Motion agreed to.*

Resolution to be reported *To-morrow*; Committee also report Progress; to sit again upon *Wednesday*.

#### SUPPLY.

Resolutions [*April 17th*] reported.

MR. DILLWYN, in referring to the Vote for the Office of the Auditor General, called attention to an instance he had discovered in the Appropriation Accounts in which the correctness of an account had not been certified by that officer, asked whether it was the habit of the Treasury to pay the money in such cases?

THE CHANCELLOR OF THE EXCHEQUER, while promising to look into the particular case alluded to, pointed out that it was the practice of the Auditor General to bring irregularities to the notice of the Committee of Public Accounts, and thereby to secure their rectification.

*Resolutions agreed to.*

EAST INDIA ANNUITY FUNDS BILL.  
(*Mr. Raikes, Lord George Hamilton, Mr. William Henry Smith.*)

[BILL 30.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. BECKETT-DENISON, in moving that the Bill be referred to a Select Committee, said, he had hoped that



Government would have undertaken to deal with the case of the dissatisfied annuitants, and as they had not done so, he had to oppose the Motion in order to call attention to the charges of those gentlemen. The three Presidency Funds had been raised by a percentage upon the salaries of the Civil Servants, and was individual property, to which Government had no title whatever. From what he understood he expected to be met by the legal argument, and therefore he appealed to the House at large. If ever equity ought to be upheld against the dry letter of the law that was such a case. The gentlemen he represented had done good service to the State, and some were now in the Service. They did not ask for the grant of a lump of money out of the contributions of the taxpayers, but that the Government would give them either the whole, or part of the excess of their own payments over the half value of their annuities. It was hardly a case the Government should refuse. It was true that one of those gentlemen had brought his case into Court, and that the decision had been against him, and he now appealed to the equity and justice of Parliament to set aside that judgment. In his opinion, the addition to the clause proposed by the noble Lord would be absolutely useless, because it would give him no power to deal with these unsettled claims. All he (Mr. Denison) asked was that the Government should inquire into the justice of these claims, and after examination determine whether they were or were not well-founded, the claimants being those who by position, character, and long service were entitled to generous consideration. The moderate request which he made to have the matter referred to a Committee was one which in the circumstances the Government could scarcely refuse, and he trusted he should have the support of the House in urging on the Treasury bench to grant that request. The hon. Member concluded by moving the Amendment of which he had given Notice.

SIR EDWARD COLEBROOKE seconded the Amendment.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Beckett Denison*),—instead thereof.

MR. GRANT DUFF objected that the House of Commons was not the place for discussion of questions of private right which could be brought before the tribunals of the country. The question had already been decided against the annuitants by three eminent legal authorities—Lord Westbury, Lord Cranworth, and Lord Chelmsford. He believed that their claims were founded neither on law nor justice, and that what was true of the Courts of Law would be equally true of any person who entered into this question with a sense of responsibility.

MR. FORSYTH denied that there was any contract with these gentlemen entitling them to the excess beyond the half value of their annuity.

MR. LAING considered that nothing could be clearer than that the claim put forward was a just one, and he believed that a Select Committee was the best tribunal before whom to bring a question of this sort, turning, not upon dry technicalities of law, but on considerations of policy and broad equity. For that reason he should support the Amendment.

LORD GEORGE HAMILTON, in opposing the Amendment, wished to remind the House that what his hon. Friend was asking the House to do was to refer to a Select Committee claims which had been rejected by every tribunal before whom they had been brought. The transfer of the funds had been rendered necessary by certain alterations that had taken place, at the suggestion of the Covenanted Civil Servants themselves. He was sorry that hon. Members were not satisfied with the Bill, especially when it was remembered that words were about to be introduced in it, making the Secretary of State liable for any claim that might be established. Lord Salisbury had also directed him to state that all the documents at the India Office bearing on the subject might be inspected at any time by persons interested, and that no advantage would be taken of the Statute of Limitations in resisting claims that might be advanced.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*.

Main Question put, and *agreed to*.



Bill considered in Committee.

(In the Committee.)

On the Motion of Lord GEORGE HAMILTON, the following Amendments were made:—

Clause 1, line 3, leave out "make over," and insert "transfer."

Line 9, leave out "take and assume," and insert "accept."

Clause 2, line 2, leave out "made over," and insert "transferred."

Line 5, after "India," insert—

"all existing liabilities of the said Funds shall be deemed to be liabilities of the revenues of India, and all such liabilities may be enforced against the Secretary of State for India in Council in like manner as they might have been enforced against the trustees of the said Funds if this Act had not been passed; and."

Line 8, leave out "made over," and insert "transferred."

Bill reported; as amended, to be considered upon Monday next.

#### EAST INDIA FINANCE.

Select Committee appointed, "to inquire into charges payable in this Country for which the Revenues of India are liable:"—Committee to consist of seventeen Members:—Mr. STEPHEN CAVE, Mr. GRANT DUFF, Mr. BECKETT DENISON, Mr. STANLEY, Mr. MASSEY, Sir THOMAS BAZLEY, Mr. BIRLEY, Sir GEORGE BALFOUR, Sir SEYMOUR FITZGERALD, Sir HENRY HAVELOCK, Mr. ONSLOW, Lord EDMOND FITZMAURICE, Mr. EUSTACE SMITH, Lord GEORGE HAMILTON, Mr. SAMPSON LLOYD, Mr. DICKINSON, and Sir JAMES ELPHINSTONE:—Power to send for persons, papers, and records; Five to be the quorum.

And, on April 30, Mr. FAWCETT, Mr. CAMPBELL-BANNERMAN, Mr. DALRYMPLE, Mr. BALFOUR, and Mr. DUNBAR added.

#### ADULTERATION OF FOOD ACT, 1872.

Select Committee appointed, "to inquire into the operation of the Adulteration of Food Act, 1872."—(Mr. Selater-Booth.)

And, on April 27, Committee nominated as follows:—Mr. CLARE READ, Mr. MUNTZ, Mr. WELBY, Sir CHARLES DILKE, Mr. PEEK, Mr. COLMAN, Mr. CARPENTER GARNIER, Mr. ALEXANDER BROWN, Viscount BARRINGTON, Mr. BACKHOUSE, Mr. HEYGATE, Mr. MUNDELLA, Mr. SANDFORD, Dr. BRADY, and Mr. BENYON:—Power to send for persons, papers, and records; Five to be the quorum.

#### LAND TAX COMMISSIONERS NAMES BILL.

On Motion of Mr. WILLIAM HENRY SMITH, Bill to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes, ordered to be brought in by Mr. WILLIAM HENRY SMITH and Mr. CHANCELLOR of the EXCHEQUER.

Bill presented, and read the first time. [Bill 76.]

#### COUNTY OF HERTFORD AND LIBERTY OF SAINT ALBAN BILL.

On Motion of Mr. COWPER, Bill for making better provision respecting the boundaries of the Liberty of Saint Alban, in the county of Hertford; the transaction of county business; and the administration of justice at quarter sessions in that county, ordered to be brought in by Mr. COWPER, Mr. HALSEY, and Mr. ABEL SMITH.

Bill presented, and read the first time. [Bill 77.]

House adjourned at  
Two o'clock.

### HOUSE OF LORDS,

Tuesday, 21st April, 1874.

MINUTES.]—PUBLIC BILLS—*Second Reading*—*Mutiny\**; *Marine Mutiny\**.

#### PATRONAGE IN THE CHURCH OF ENGLAND.

##### MOTION FOR A SELECT COMMITTEE.

THE BISHOP OF PETERBOROUGH\*: My Lords, in asking your Lordships to grant a Select Committee to inquire into the laws relating to patronage in the Church of England, I am well aware of the difficulty as well as of the importance of the subject which I have undertaken to bring under your Lordships' consideration. I know how many and how important are the interests, spiritual and temporal, involved in any system of Church patronage, and especially in a system so ancient, so extensive, and so complex as that of our Church. I know, too, what burning questions underlie this of Church patronage—questions of Church discipline, and Church polity which have, in our own memory, rent asunder one Church Establishment, and which it may seem dangerous and rash to raise, or even run the risk of raising, in our Established Church. My Lords, I am fully and even painfully conscious of the difficulties and dangers which beset the attempt to deal with this question; but I am even more fully convinced of the still greater danger that must result from neglecting to deal with it. For, my Lords, the evils resulting from the defects of our present system are so patent and so serious, and the demand

for their reform so strong and universal that if it be not met, and met speedily, by wise and temperate reform, it may end in changes that will be neither wise nor temperate. In short, this question seems, like some other Church questions, to have reached that critical point at which reform is possible and safe, but at which delay or denial of reform leads to revolution. My Lords, it is because I desire reform, and because I dread and deprecate revolution—it is because I have not the least sympathy with the crude *doctrinaire* schemes for re-constituting our entire system of Church patronage which one sees put forward on every side—it is because I believe that the evils which all admit to exist may at this moment be remedied by wise measures of reform, that I desire to see this question in the hands of a Committee of your Lordships' House. And, my Lords, whatever there may be of rashness in my mode of dealing with this subject, I am certainly not premature in bringing it under your notice. The reform of Church patronage is no new subject in the Church or in either House of Parliament. It has been fully and frequently discussed in our diocesan conferences and Church congresses, in which the mind of the Church is now so largely and freely expressing itself. It has also been considered and reported on by more than one Committee of both Houses of Convocation, who have produced most careful and valuable reports upon it. It has been incidentally dealt with by the Commission on Clerical Subscription, of which some of your Lordships were members, and whose report as to one part of this subject—the law of simony—is that it “stands in urgent need of revision.” Bills dealing with another part of the subject—the sale of next presentations—have been introduced in both Houses of Parliament; in this House by the Duke of Marlborough, in the House of Commons, some years since, by the present Judge of the Court of Arches, and more lately by an hon. Member (Mr. A. Cross) who now holds high place in Her Majesty's Government. And at this moment I am authorized to state that in making this Motion—though, of course, my right rev. Brethren are not pledged by any word I may speak—yet that this Motion itself has their unanimous concurrence. I think, then, my Lords that

I may plead that the subject I bring before you is one that is ripe, and even pressing for consideration and for settlement.

My Lords, in order to induce your Lordships to grant the Committee for which I am about to move, I have to show you, not merely that there are evils connected with our present system of Patronage—that is only too easily shown; but I am bound to show you that these evils are removable by legislation. Because it is not to be forgotten that there are evils in every system which are not curable by legislation—evils which are really the imperfections incident to all human institutions, and the attempt to remedy which might only bring in other and worse evils in their stead. I know, my Lords, that any system of patronage you can devise—place the patronage where you will—make it public, private, or popular, is subject to two disturbing influences, which you can never entirely get rid of. Two elements enter into it, which have, as it were, a chemical affinity for each other, and which you can never keep entirely apart by the merely mechanical process of legislation. One of these is money, and the other is human nature; and it is idle to hope that patronage will be so administered as to be free from the disturbance these two elements make in their meeting. And this, too, is to be remembered, that modes of patronage which work, or seem to work admirably, in other communions than our own, will not, therefore, necessarily suit ours. On the contrary, the very fact that they suit so admirably a different system makes it probable that they will not suit with, but will rather act as foreign bodies in, our system, producing feverish and even fatal disturbances. I admit, therefore, my Lords, that I have to show you that, while there are serious practical evils connected with our present system of patronage, it is possible, without any wild or revolutionary change—adhering, on the contrary, strictly to the genius and traditions of our own Church, and to the principles of our own system, to find for most of these safe and sufficient remedies. In the first place, then, I have to show your Lordships that there are evils to be remedied. And in speaking of these I do not mean to dwell at any length on what is generally regarded as the worst and

most scandalous of them—I mean the open and notorious, and, I regret to add, the increasing traffic in benefices. My Lords, it is a notorious and a most discreditable fact that there are offices in London where benefices are not publicly sold—I wish they were—but publicly advertised and privately sold, on a system that combines the worst scandals of publicity with the worst evils of privacy. And we are, of course, all of us familiar with the manner in which the clerical agents who sell these benefices puff their wares. We know only too well the announcements of “eligible livings,” with “charming neighbourhood,” “good society and bracing air” to strengthen the purchaser for the “light duty” attaching to the cure, with its “good trout stream” and “adjacent coverts,” and the “incumbent in advanced years,” and—worst of all—the ominous announcement of “immediate possession,” which means in nine cases out of ten, immediate breach or evasion of the laws against simony. My Lords, I am not about to waste your time in expressing my indignation against this detestable benefice-mongering, simply because I know of no one who attempts to defend it. I have never yet met the churchman who was not heartily ashamed of it, and did not long for its suppression. All that I have ever heard said for it is not in justification, but by way of excuse and palliation. The evil, we are sometimes told, is really not so great as it appears. The Church is not responsible, after all, for the vulgar greed and coarse puffery of these clerical agents. Many of the benefices thus offensively advertised are bought by clergymen who really and honestly desire to do their duty in the benefice they have bought, and who care for the souls of their parishioners and not for the trout-stream and the adjacent coverts; and that, in fact, these advertisements are rather a scandal than an evil. My Lords, I thankfully admit that there is some truth in this plea—I admit that good men do sometimes honestly buy, for a good motive, these advertised livings. If it were not so, the evil, bad as it is, would be simply intolerable. But granting that this plea were valid in a much larger degree than it really is, still those who urge it seem to me quite to forget that a great scandal is in itself a great evil. It is a weakness to the friends and a strength to the enemies of the

institution that suffers from it, for no institution can continue with safety to offend the moral sense of the community in which it exists. For this reason alone, then, even if there were no other, all true friends of the Church should desire the suppression of this traffic in benefices. But, my Lords, there is another reason why I do not dwell at any length on the evils of this traffic. It is because—bad as these are—I regard them only as symptoms of a deeper evil; for, if there be nothing objectionable in the fact of the sale of livings, why should we be so much shocked at these advertisements for the sale of them? If the thing that is done be lawful and expedient, why this squeamishness as to the persons who undertake to effect it for us? It seems to me that on this supposition these clerical agents should rather be regarded as useful members of society engaged in a very honourable calling, and should be respected accordingly. But if there be that in the selling and buying of livings which is in itself wrong and mischievous, then it is against this wrong thing, and not against the mere agents for the doing of it, that our indignation and our efforts for reform should be directed; otherwise we should be legislating only against the symptoms of the evil, not against the evil itself. My Lords, I believe that there is such an evil—a deep-seated one, which taints much of our patronage, public as well as private—and it is this—that patronage has come to be regarded too much as a property and too little as a trust. My Lords, we sometimes hear patronage spoken of as if it were a trust only. Too often we see it dealt with as if it were property only. Neither of these views is the true one. Patronage is really both a property and a trust. It may be defined as “the right to execute a trust.” Primarily, therefore, and mainly, it is a trust, and the most solemn and responsible of all conceivable trusts—a trust to select the fittest person to be given the cure and government of the souls of men. But the right to exercise this trust is unquestionably property. It may not be always—I wish that it were never—marketable property; but it is at least enjoyable property. It is a right, a *privilegium*, which confers on its possessor powers and opportunities which he may abuse for his own ends. Or, in other

words, the interests, or if not the interests, the partialities and the prejudices even of the patron, may come into collision with the interests of the parishioners. And this, my Lords, is the real strain and difficulty in the whole question of patronage—it is the collision of interests between the trustee—that is, the patron—and those interested under the trust—the parishioners; and here, as it seems to me, lies the proper object of all legislation on this subject. It is not to attempt to destroy either of these elements in patronage—they are really indestructible and inevitable—but to regulate them. It is to see that property keep its true place as subordinate to trust; that it be dealt with as what it really is in this case—not as property pure and simple, but as property *sub modo* only, existing only under certain conditions, and charged with certain duties. In a word, the aim of legislation should be to give practical effect to the principle that, in the matter of patronage, property is the incident of a trust, and not trust the incident of a property. That this principle has always been asserted in the law of patronage in our Church a brief sketch of its origin and history will show. From the first, in our Church, cure of souls in the whole of each diocese resided, as it does now, in the Bishop; and in those earlier days, when Christianity was still a missionary religion in the country, the Bishop used to send out from the cathedral church of the yet unevangelized diocese missionary clergy chosen by himself, and partly sustained by the offerings of the faithful in the Mother Church of the diocese. As in process of time the remoter parts of the diocese were won to Christianity, the resident nobles or lords of manors, desirous of obtaining for themselves, or for their vassals or tenantry, the benefit of a resident ministry, would offer to build a church, or provide sustenance for a pastor, provided they might, in requital for this endowment, present to the Bishop a pastor for the parish thus endowed. They thus became the patrons of such parishes. They had not, however, then or since, the right to appoint a pastor; they had only the right of presenting one to the Bishop, who, on the other hand, was to judge of his fitness to be entrusted with cure of souls, and to grant or refuse him institution accordingly. Your Lordships will ob-

serve here the essential principles of patronage distinctly appearing. The patron was really trustee for the parishioners, with the right of selection of a pastor for them, based on endowment and guarded from abuse by joining with the patron, as it were, as co-trustee, the Bishop of the diocese, who was special guardian of the spiritualities, as the patron was of the temporalities, of the benefice. But the principle of trust is still more clearly asserted in the law, which from the first expressly forbid the patron to present any one for money. This, my Lords, is that sin of simony which the Church has always strongly denounced and protested against as “detestable,” and “execrable before God and man,” and which is accordingly forbidden by the laws both of the Church and of the State. And still further to prevent such abuse of the patron’s trust, an oath at first, and now a declaration against simony is imposed upon every clergyman presented by a patron to the Bishop for institution. Now, my Lords, assuming for the moment that selection of a pastor for the people is preferable to election of a pastor by the people, I maintain that no better system of selection—none more carefully guarded against abuse—could possibly have been desired than this which I have described. Under it the patron, resident in, or at least having the deepest material and moral interest in, the parish for which a pastor was to be chosen, had, by virtue of an endowment which secured to the parishioners a provision for their pastor, the right, not of appointing whom he pleased, but of selecting from a number of clergymen previously approved of and licensed by the Bishop, one to whom, provided he could conscientiously swear that he had offered no corrupt consideration for such selection, might, if again approved of by the Bishop, be given the cure of souls in that parish. My Lords, it seems to me impossible to devise a system of selection better calculated to secure the great object of all patronage, purity and fitness of choice, than this. Now, my Lords, between a presentation effected on such principles as these and a presentation effected through the medium of a broker in a back street in London selling benefices across the counter, as he might sell so many forfeited pledges, there seems a very wide distance indeed; and yet it has been



very rapidly travelled. The change, startling as it is, has been the result mainly of one or two changes effected by common law. I am not about to say anything in disparagement of our English law, and, were I rash enough to do so in this Assembly, I would bring upon myself swift and condign punishment at the hands of the noble and learned Lords, the ornaments of their profession, who are Members of this House. But I trust I may be permitted to say that English law has ever been remarkable for its almost idolatrous veneration of property. Property of any kind, in the hands of law, is made the object of an affectionate and tender solicitude, which reminds me of nothing so much as of the manner in which we are told the Egyptian priests of old used to deal with their god Apis. They chose him by certain marks and tokens when he was a calf, and having nourished him on the most abundant and costly food until he arrived at the goodliest taurine proportions, they fell down and worshipped him, and called on all the nation to do the same. Very much like this has certainly been the dealing of law with patronage. The law, having to deal with the patron's property-right in an advowson, began by allowing this advowson to be severed from the estate of the patron, and to be sold separately. Advowsons thus become distinguished into two classes, namely, advowsons appendant, that is, still attached to the manor, and passing with it; and advowsons in gross, that is, saleable to persons having no local interest whatever in the parish or parishioners. This in itself was a great weakening of the principle of trust as opposed to that of mere property. But the next change was a far worse one—it allowed of the sale, not of the entire trust, that is, the advowson, but of the power for one or more times of acting under the trust—that is to say, it allowed of the sale of next presentations. Now, it is clear that in the case of these the idea of selection has almost entirely vanished; the owner of an advowson has, or may be supposed to have, a permanent interest in a trust which is all his own, and he may be supposed at least to exercise his choice of a pastor from out of a number of eligible persons. But the purchaser of a next presentation has but a fleeting and momentary interest in the trust; his connection with it

ends the moment he has made his presentation, and in most cases he has purchased that presentation for one particular person previously chosen. In fact, he does not so much choose the man for the living, as the living for the man. Under this system it is clear that the idea of trust, if not actually destroyed, is reduced to the most attenuated and shadowy form, and the idea of property in its most gross and material form has taken its place.

My Lords, I will not now stop to inquire how far this sale of advowsons in gross and of next presentations is right or wrong in principle—I shall speak of this presently. All I now contend for is this—that if these changes have, as they must have, weakened the local and personal interest of the patron in the due administration of his trust—in the same degree in which they may have done this, the law should have strengthened the safeguards originally devised to prevent abuse of trust. The law, however, has done exactly the opposite of this. Instead of strengthening these safeguards, it has very greatly weakened them. It has done so, in the first place, as regards the offence of simony. By a process of subtle evasions by interested persons on the one hand, and of subtle and nice distinctions such as English law delights in, on the other hand—the laws against simony have been brought into such a state that it is hard to know what is and what is not simony; and, when we do know this, harder still to say why one particular transaction should be legally simony, and another not so. It is simony, for instance, to buy an advowson or presentation when the benefice is vacant, but not when it is full; and yet it is not simony to buy either advowson or presentation when the incumbent is actually *in articulo mortis*. It is simony for a spiritual person to buy the next presentation to a living, and present himself; but it is not simony for him to buy the advowson, then present himself on vacancy, and then to sell the advowson. Nay, it is simony for a presentee to contract to marry a patron's daughter, but not simony for him to contract to marry a patron's sister or niece, or widowed mother-in-law. The force of legal absurdity could hardly, I imagine, go beyond this last distinction. But, my Lords, the practical results of



these absurd distinctions are most seriously mischievous. In the first place they completely destroy all moral sanctions for the law of simony. The difference between what this law allows and what it forbids is, in most cases, so purely technical and conventional, that it touches no man's conscience; and consequently, evasions of a law so utterly unreasonable come to be but lightly regarded. In fact, simony as a legal offence has completely lost its original meaning—as that of the “ execrable and detestable offence of buying or selling spiritual things ”—and has come to mean simply the buying or selling of benefices under conditions forbidden by law. The law of simony has thus, as it were, slipped from off its moral basis, and been broken into shapeless fragments in its fall. But, in the next place, it is evident that all these nice distinctions afford abundant occasion, not only for honest ignorance, but for dishonest evasion of the law. Men are tempted to put their consciences in the hands of those clerical agents who pledge their honour—whatever that may be worth—that there is no simony in the transaction. I have known clergymen who, on such assurances, have been led into bargains which, when in the progress of the business they had discovered its real nature, they would gladly have shrunk from, because it appeared to them to be simoniacal; but, under threats, they had weakly, though perhaps not unnaturally, carried out their contract. And this facility of evasion is still further enhanced by the present form of declaration required of the presentee. He is required to declare to the Bishop that he “ has not made for himself,” and “ will not satisfy ” if made for him by others, “ any promise or contract ” which, to the best of his knowledge and belief, “ is simoniacal.” My Lords, what is this but to hold out a premium to induce men to cultivate ignorance as to the law of simony? Such a declaration is a snare to weak consciences, and a mere cobweb to strong ones. Against simony, if a man wishes to commit it, it is absolutely no protection whatever. I venture to think then, my Lords, that you will agree with me, that the laws respecting simony “ are in urgent need of revision.” But it may be said, although this law against simony be so weak and ineffectual, there is still the safeguard of the

Bishop. He may refuse institution to an unfit clerk, no matter how he may have obtained his presentation. And accordingly, it is to the Bishop that parishioners make their complaint when threatened with an unfit appointment to their parish. Unhappily, my Lords, the Bishop has little or no power to help them in such a case—I mean, of course, the Bishop of real life, not the Bishop of religious newspapers and much excited speakers, who, as we all know, is a being possessed of vast and indefinite powers, which, however, he is too cowardly or too selfish ever to use, except for his own aggrandizement. The Bishop of real life, is I hope, a passably honest man, really and sincerely desirous of governing his diocese fairly and impartially, and of enforcing the law and preserving the peace and purity of the Church; but possessed for this purpose of the most limited powers, and constantly doomed to find each weapon of law that he takes up break in his hand as he uses it. Such a Bishop must tell the complaining parishioners that there are, indeed, certain specified grounds on which he may refuse to institute a clerk—as, for instance, heresy, immorality, or ignorance; but that the proof even of these is extremely difficult, and that to attempt it he must begin by making himself a defendant in a costly law suit; and that when he has done this—when he has braved the terrors of *Duplex Querela* and *Quare impedit*—the most likely result will be that he will be saddled with heavy costs, and the parishioners with an obnoxious minister. In addition, however, to this difficulty in the way of the Bishop's discharge of duty, there is this further one, that physical incapacity forms no legal ground of objection. A patron may present a clerk of 80 or 90 years of age to the largest and most important parish in the diocese, and yet the Bishop cannot refuse, on that ground, to institute him. And here, my Lords, I touch on one of the most grievous evils and scandals connected with patronage—I mean the practice of putting into a vacant living the oldest man the patron can find, in order to sell the living over his head.

My Lords, I wish to avoid strong language in dealing with evils which are of long standing, and which from use and long habit seem to many less odious than they really are. But here is an

evil for which no such excuse can be made. No patron who does this can be ignorant of the cruel wrong that he is inflicting on the parish. My Lords, I solemnly denounce as nothing short of a most wicked breach of trust that a patron, bound before God and man to find the fittest pastor for the parish in his gift, should deliberately and for the lucre of gain choose a man, not for his fitness, but for his unfitness—not because he thinks him capable, but because he knows him to be utterly incapable of discharging the duties of the parish into which he thrusts him, in defiance alike of indignant parishioners and indignant and protesting Bishop. Imagine, my Lords, the smouldering indignation, the chronic discontent and alienation from the Church that must exist in the parish in which this thing has been done. My Lords, there is no sadder or bitterer moment in a Bishop's life than that in which he finds himself reluctantly compelled to give to such a clerk, presented by such a patron, the care and government of souls within his diocese. And yet, such is the present state of our laws ecclesiastical, that the Bishop must do this. So much, my Lords, for the safeguard of Bishop's power of objecting to unfit presentations. But this is not all. The Bishop's power of preventing corrupt transactions is still further and most mischievously limited by the Statute Law as to the resignation of benefices. By law, all resignations of benefices must be made to the Bishop, who has the absolute power of refusing to accept the resignation, except—strange to say—in the very case in which there is the greatest probability of its being corrupt—I mean in the case of what are called resignation bonds. These, as your Lordships are probably aware, were long regarded as illegal, and have only been made certainly legal under certain conditions by special statute within the last 100 years. In all such cases the Bishop is deprived of his absolute right to refuse to accept resignations. Now, my Lords, I do not stop to inquire whether these resignation bonds should ever have been legalized—I entertain a very strong opinion that they should not. All that I now contend for is, that there is nothing whatever in the nature of these that should exempt them, above all others, from the check of the Bishop's veto. I quite understand the proposal to take

this veto from the Bishop altogether; but I cannot understand why, if he is to have it in any case, he should be deprived of it precisely in that very case in which, *a priori*, one would expect that there would be most need for its exercise. There is, however, one further limitation of a Bishop's power in the matter of patronage, which seems to me the most unreasonable and the most mischievous of all—I refer to the peculiar privileges attached to donatives. A donative, my Lords, is a benefice to which the patron nominates directly, without presenting his clerk to the Bishop, and in which the clerk resigns, not to the Bishop, but direct to his patron. That is to say, a donative is a benefice, in respect to which there is no check or safeguard whatsoever against any form or kind of simony or corrupt resignation whatsoever. This seems bad enough; but still worse is the manner in which these donatives are made use of to help out corrupt exchanges. The acceptance of a donative voids, *ipso facto*, any benefice previously held by the presentee. The effect of this is, that an incumbent, whose resignation of his benefice the Bishop, for good and sufficient reason, may have refused to accept, has only to get appointed to a donative, which he need not hold for more than one day, vacating his benefice by so doing, and then go on to complete some simoniacal bargain, or exchange, in defiance of the Bishop. I have heard of a donative which has been sold and re-sold in this way as many as five times in one year, and the selling price of which is said to be £20. When I add that some of these donatives are said to be in the possession of certain clerical agents, who advertise sales and exchanges, to be effected with "strict privacy," I think I have said enough to show your Lordships the evils that lurk under the existing anomalous privileges attaching to donatives. My Lords, I claim to have proved my first assertion—that there are serious evils connected with our present system of patronage, and that these have arisen from the undue preponderance given by law to property over trust.

And now, my Lords, as to the remedies I would propose for these evils. Let me, in the first place, say what are the remedies I would not propose. I would not propose, as some do, to sweep away all patronage, and resort to the popular

election of ministers. Popular election is, in my opinion, the very worst of all possible modes of appointing ministers. In the first place, it fails utterly to secure the very advantages which are claimed for it; and, in the second place, it is fraught with special evils and dangers of its own. The advantages of popular election are supposed to be greater purity of choice and greater acceptability of the persons chosen. I maintain that it secures neither of those things. Not greater purity, for I fail to see why popular elections must necessarily, or even probably be pure. This is the old democratic fallacy as to the virtue of numbers. A. B. abuses some trust or power with which he is entrusted, not because he is A. B., but simply because he is a human being, and subject to the infirmities of human nature. To cure this evil it is proposed to add to A. B. 500 or 5,000 other human beings, and it is assumed that, for some mysterious reason, their actions will be free from all human infirmities. I confess I cannot see this. Electors have sons and sons-in-law and friends, just as much as patrons have; and bribery, intimidation, and jobbery, are things not altogether unknown at popular elections. And as to non-intrusion, which is supposed to be the special and peculiar advantage of the election of ministers by the people, this is another fallacy. Non-intrusion will follow from popular elections only in the very rare case where the electors are unanimous in their choice. When they are not, the majority selects a pastor for the minority quite as much as ever patron does for a parish; and with this additional aggravation, that the minority have in all probability been strongly opposing the appointment of their new pastor, and busily engaged during the contested election that preceded his appointment in raking together everything that could be discovered or alleged to his disadvantage. But popular election, while thus failing to secure its alleged advantages, brings with it all the degrading incidents of public competition that necessarily belong to it,—the public addresses of rival candidates, the house to house canvassing of electors, the trial sermon and the competition prayer; the church left pastorless for months while the congregation are making up their minds as to which of the many probationers they will accept;

the party spirit that the contest generates, the rancour and bitterness that survive it. As to the extent of these evils, let me read to your Lordships the testimony of an eminent Dissenting minister, the Rev. John Angell James:—"Secret canvassing,"—"cabals, intrigues,"—"the most disgusting exercise of the most disgusting tyranny,"—"fires of contentions,"—"the greatest disorder and confusion,"—"peculiar and dishonourable fickleness of disposition on the part of churches who soon grow tired of the man they choose,"—"affairs of religious societies in chancery,"—"strife, ill-will, confusion, and every evil work,"—"tyrannical deacons "who are patrons of the living, bibles of the minister, and wolves of the flock,"—"hasty choice of unsuitable ministers,"—"injurious congregations inviting ignorant and incompetent pastors,"—"relaxation of discipline,"—"many churches exhibiting the sad spectacle of a house divided against itself,"—"schisms at the time of choosing a minister,"—"church meetings exhibiting scenes of confusion, little commendatory of the democratic form of church government,"—"distraction and division;"—these are some of the results of popular election, enumerated by Mr. Angell James. My Lords, after such testimony from a witness so impartial and so capable, I may, I think, safely assume that popular election will not find favour with your Lordships as a substitute for private or public Patronage in our Church. Nor can I venture to recommend to your Lordships the device of a Board of Nomination in each diocese, in which all appointments are to vest, which just now finds much favour with many amateur reformers of Church Patronage. Such a Board of nomination would necessarily reflect the views of the predominant theological party in the diocese, and its necessarily one-sided appointments would destroy all that freedom and variety of thought in the ministry which it is the especial glory of our Church to cultivate and to protect. Such a mode of appointing ministers would, in short, destroy what is now the great merit of our present system of Church Patronage—its variety of sources, and the consequent independence of the clergy, who do not owe, and who are not looking for their appointments to any one single source of preferment, and who, therefore, represent the views and

the feeling of all those parties which find their legitimate place in our National Church. It would destroy, too, that relation between the owners of the soil and the clergy of the Church, at which it is just now so much the fashion to sneer as the alliance between "squire and parson," but which nevertheless I hold to be most beneficial, serving as it does in a thousand ways to make the clergy a bond of union between the rich and the poor; and constituting, as I believe, a far safer alliance than that which, if you destroy it, would in all probability replace it—the alliance between the fanatic and the demagogue. One other proposal I mention, only to dismiss as quite unnecessary to waste time in considering—and that is promotion by seniority. I can hardly suppose that anyone who considers the subject for a moment could seriously propose that the oldest clergyman in a diocese, simply because he is the oldest, should be appointed to what might happen to be the most important and populous parish in it. Seniority—other things being equal—may and ought to have its weight in the selection of a pastor. But the true and only ground for selection in the first instance, is not seniority nor even merit, but fitness. To claim promotion on any other ground is to set up a vested interest for the clergy, as a profession, against the only real and legitimate vested interest that can exist in the case—the vested interest of the parishioners in having for their pastor the fittest man that can be found. And as to the analogy that is sometimes insisted on between promotion by seniority in the Army and in the Church, it will be time enough to discuss it when the Church possesses those other institutions which exist in the Army, and without which promotion by seniority would be intolerable there—compulsory retirement and half-pay. Dismissing, then, my Lords, these and all like merely visionary and impracticable schemes of reform, I would propose, instead of inventing new systems of patronage, to fall back upon the lines of the old. I would revert to the original idea of Church Patronage as I endeavoured to set it before your Lordships, as that of a trust involving certain rights of property. And I would endeavour to restore the balance between

show, has been so seriously disturbed. It is clear that you may do this in one of two ways. You may either attempt to restore the original close relations between the patron and the parish for which he is trustee; or you may increase and strengthen the safeguards originally designed to prevent his abusing that trust. In other words, you may diminish existing facilities for transferring patronage, or you may give greater power of objecting to the choice of the patron. The former of these two courses would lead to the prohibition of all sales of advowsons and of next presentations. My Lords, as regards the sale of advowsons, I cannot go the length which some do of saying that it is a wrong and sinful thing in itself, and should, therefore, be made absolutely illegal. If I desire the suppression ultimately of advowsons in gross, it is rather because of the evils that result from it in practice than because I regard it as in itself and on principle wrong. The sale of an advowson is the complete and absolute transfer of a trust from one person to another. To this I can see no objection in principle. I would only desire to see such safeguards, if possible, introduced in connection with such sales as should prevent those evasions of the law which now shelter themselves under them. And I should further be glad to see some facilities given for the purchasing by some Church body constituted for the purpose of advowsons in gross, and for transferring them either to public patronage, or to private patronage under such conditions as should make them once more advowsons appendant; that is to say, advowsons attached to property in the parish to which they belong. But as to sales of next presentations, I would abolish them utterly. I would do so, not merely because all the worst evils and scandals connected with the traffic in livings arise out of them, but because they seem to me essentially wrong in principle. They are *malum in se*, and not *malum prohibitum*. My Lords, I especially entreat your Lordships' attention to what appears to me the essential difference in principle between the sale of an advowson and the sale of a next presentation. The former is, as I have said, simply the transfer of a trust. The latter appears to me to be the breach, or at least the abuse of a trust. For in the latter case the trustee does not



divest himself once and for all of his trust; but still retaining it, with all its attendant advantages and privileges, he, in consideration of a sum of money paid to him by another, allows that other person to step in and to perform what is really his own most sacred duty under the trust, and which he should delegate to none. He makes himself, in short, *pro hac vice*, the mere dead hand of a stranger who has no real connection with and no interest in the trust. What would be thought, my Lords, of the trustee in some *cestuique* trust, who having the right under the terms of the trust to appoint some officer connected with it—say that of agent or solicitor to the trust—should deliberately advertise in the papers that he would give to anyone who would pay him a certain sum of money the right to appoint that agent or solicitor? My Lords, I am not sufficiently learned in the law to say whether this would or not be legally a breach of trust; but, morally, I am sure it would be, and that of the very gravest kind. And I must say that I am unable to see the slightest difference in principle between such a case as this and the case of a patron who sells to anyone who will buy it from him the right to the next presentation to a living of which he retains the advowson. I would, then absolutely forbid all sales of next presentations. But I confess that I place far more reliance upon those remedies which proceed in the second of those directions of which I have spoken—namely, in that of strengthening the safeguards against improper selections by patrons. For it is clear that if these could be sufficiently strengthened, the great practical wrong of the appointment of unfit pastors would be prevented, even if the scandals as to the manner of their appointment were left,—as I trust they may not be left,—untouched. Of these remedies I would venture to suggest the following:—1. I would enlarge the area of objection on the part of the Bishop. At present there are certain grounds on which a Bishop may refuse institution to the presentee of a patron,—such for instance as heresy, ignorance, and immorality. I would add to these one more—the most obvious, the most reasonable, and the most easily ascertainable of all—physical incapacity. I would give the Bishop the right to say, I refuse institution to this man, because he is physically

incapable of discharging the duties of the benefice. 2. I would free the Bishop from the present heavy and unjust costs attaching to any exercise of his right of objection. Why, my Lords, in the name of common justice and decency, should the Bishop, who has not the slightest personal interest in the matter,—who is acting solely as a public officer, in protection of public interest,—be mulcted in ruinous costs simply for attempting to discharge a solemn public duty? I ask that this gross injustice and serious hindrance to discipline be removed—simply by enacting that in all cases of suits respecting institutions between Bishop and patron, costs should follow, not as they do now the judgment, but the discretion of the Court. In that case, if the Bishop's objections were, in the opinion of the Court, frivolous and vexatious, he would most properly bear the costs of the suit; on the other hand, if they proved reasonable and valid, the patron should bear, in the shape of costs, the penalty of this improper selection, while, in the event of there appearing fair and reasonable ground for doubt on both sides, then the costs should, as they do in like cases in temporal trusts, come out of the Trust Fund,—that is to say, in this case, should be a charge on the benefice. 3. I would give to parishioners, within carefully guarded and clearly defined limits—for I am quite aware of the dangers in this direction—the power of stating their objections to the selection of the patron; such objections to be personal and not theological. Certainly, I would go at least this length in the direction of popular objections to presentees. I would give the parishioners the same right of objecting to the discretion of a patron in selecting a minister that they now have to objecting to the previous discretion of the Bishop in ordaining one. I would have a form of *Si Quis*, analogous to that now required before ordination, read in the parish church, both of the parish from which the new incumbent was leaving, and that to which he was coming; I would have objections made under this *Si Quis* regarded as privileged communications, and not leave the objecting parishioner, as he now is left, exposed to an action for libel if he ventures to inform the Bishop of any reason why he should not institute the presentee of the patron. I would go even further in this



direction, and I would allow of such objections under such a *Si Quis* being transmitted to the Archbishop of the province in all cases where a Bishop is the patron. For I fully admit that, when this is the case, the safeguard of the double trusteeship of Bishop and patron is gone, and the guardian of the temporalities and of the spiritualities is one and the same person. For my own part—and I think I might say on the part of my right rev. Brethren—we should rejoice if that or any other opportunity could be given us of defending the exercise of our patronage from aspersions that are often as cruel as they are unreasonable and unjust. 4. I would limit the area of selection by the patron. It is already so far limited that he may not present a clergyman not in priest's orders. I would further limit it by enacting that he should not present any clergyman who had not been at least three years in priest's orders. This would prevent the present scandal of some boy-rector, utterly inexperienced in the duties of his office, being placed in charge of, it may be, the largest and most important parish in a diocese. 5. I would reform the existing law against simony by legislating, not against the name of the thing, but against the thing itself. I would distinctly specify what transactions, in the sale of advowsons, the law would forbid, and what, if any, it permitted; and I would have the declaration to be taken by the presentee to set forth distinctly that he had not done any one of the things forbidden, and also which of the things permitted he had done; and I would also require this declaration to be made by the patron as well as by the presentee. 6. I would increase the power of the Bishop to prevent corrupt exchanges, and at the same time I would allow of certain arrangements in effecting exchanges, which, though now technically simoniacal, have in them really nothing of the nature of simony. 7. Lastly, I would do away with the gross evils connected with donatives by making them all representative benefices.

Such, my Lords, are the remedies which I would venture to submit for the consideration of your Committee, should you see fit to grant it. They are not exhaustive remedies, and, doubtless, other and possibly better may be devised by your Committee. But I trust

that I have at least succeeded in showing to your Lordships that the evils I have described are not irremediable, and may be safely dealt with by legislation; that, in short, they are of the accidents, and not of the essence, of our system of patronage. I trust, therefore, that I may with some confidence appeal to your Lordships to enter on the task of reforming these evils. I have, indeed, been assured of the difficulty of preferring such an appeal in a House so largely composed of patrons as this is. My Lords, I have felt no such difficulty. For even if I could suppose for a moment that your Lordships, in dealing with this great question, could be influenced by merely personal motives, it would be to those very motives I should most confidently appeal in favour of my Motion. For none have so deep an interest in the reform of abuses connected with patronage as patrons themselves. If we would preserve private patronage—and I, for one, most earnestly desire its preservation as an element of real value in our patronage system—we shall best preserve by purifying it of all abuses. But, my Lords, I am also aware that, in addressing your Lordships, I am addressing a body of patrons who, least of all patrons, are likely to be under the influences of such merely personal motives in considering the reform of patronage. I know that I am addressing patrons who, by their position and their circumstances, are removed from the two great temptations that specially beset the patron—need and obscurity—the need which tempts to mercenary dealing, the obscurity which conceals it. What your Lordships do, in this as in other matters, you do in that full blaze of public opinion and criticism which beats on all who hold high and prominent place in this country; and, as I gratefully acknowledge, under the influence of that maxim, *noblesse oblige*, which binds you to pure motives and high aims in the discharge of a great public trust like this of patronage. In no place, then, my Lords, do I believe that the reform of Church patronage could be more fitly initiated than in your Lordships' House; from none could proposals for its reform come more gracefully, or be more grateful to the country, than from your Lordships. Never, too, as I believe, had your Lordships so golden an oppor-

tunity for Church Reform as the present moment — an opportunity precious, it may be, for its briefness as well as for its rarity. My Lords, our Church at this moment in her history seems, as regards her political assailants from without, to be passing through that kind of lull which, we are told, sometimes occurs in the centre of some great cyclone—the still spot in the heart of some furious storm. Let us beware of mistaking this for the entire cessation of the storm. The forces engaged for and against the Church of England are permanent forces in the life of the nation, and they will ere long be as furiously as ever at war. Meanwhile we have a brief breathing space. If the Church shall use wisely that passing interval of comparative calm in clearing the decks of the ship of their dangerous lumber, in strengthening the tackle, in repairing what is weak and decayed by time or damaged by the elements—she will yet safely brave the redoubled fury of the tempest into which she is assuredly sailing. But if we spend this interval in a fool's paradise of mutual congratulations, drifting along with quiet and easy confidence, as men drift along on quiet summer seas, unconscious of the gathering storm, then so surely as the Church shall thus neglect and waste her opportunity, will the tempest smite her with a sudden and a deserved destruction. Happily, my Lords, there seems at present but little danger of such a calamity as this. Never was the Church more fully alive at once to her need of reform, and to the urgent necessity of attempting it, than she is at this moment. This reform, which I ask at your Lordships' hands, I ask in the name of the entire Church, which pleads for it earnestly and anxiously. I trust and believe that your Lordships will not only allow of this first step towards this reform that I am asking for to-night, but that of it will come, as the result of the deliberation of your Committee and with the ultimate sanction of your Lordships, such a measure of reform at once wise, just, and efficient, as shall remedy these evils and scandals that are weakening the strength and hindering the efficiency of our Church for her great work in this land—a reform which will deepen her hold on the affections of her own children, and win to her in large measure the respect and affections of alienated

multitudes—a reform by which your Lordships will have added one more to the many titles which this House has already won to the gratitude of the Church and of the nation.

*Moved*, That a Select Committee be appointed to inquire into the laws relating to patronage, simony, and exchange of Benefices in the Church of England.—(*The Lord Bishop of Peterborough.*)

THE LORD CHANCELLOR said, he had listened with admiration to the right rev. Prelate who had just addressed their Lordships, and who had given such a lucid explanation of the subject he had introduced to their Lordships' notice. It was not, on this occasion, necessary for him to follow the right rev. Prelate into the various branches of that subject, nor to answer certain statements, with reference to details of the law, which might be open to explanation. He might at once say that on the part of the Government there was no objection to the Committee asked for by the right rev. Prelate. He did not mean to enter into any discussion of some of the minor points mentioned in the speech of the right rev. Prelate; but their Lordships ought, he thought, at all events in their own minds, to endeavour, either now or at some future time, to arrive at a distinct understanding as to what were the sources to which the great and grievous scandals to which he had referred in the exercise of the patronage of the Church were to be attributed. Without entering into a lengthened argument, he might express his own belief that those scandals arose out of and could be traced, not to the *bond fide* sale of advowsons, but to the sale of the next presentation of livings and those sales of advowsons which were really nothing more than the sales of next presentations. In saying that, however, he wished to express a strong opinion that the existence of patronage in lay hands in this country had been productive of great and extensive benefits to the Church—that the exercise of that patronage had yielded to the Church hundreds and thousands of the best appointments that were ever made. He should greatly regret if any proposition were made to their Lordships to diminish the existing *bond fide* exercise of lay patronage, which he considered had been productive of such advantages to the Church. He

would say nothing more on the present occasion, except to wish the right rev. Prelate every success in the efforts which he was making to remove scandals which they must all regret, and of which he felt assured every member of the Church must be ashamed. That, however, could, he believed, be done without interfering in any way with the faithful, right, and honest exercise of lay patronage.

Motion *agreed to*; and Committee appointed accordingly.

And on Friday, April 24, the Lords following were named of the Committee:—

Abp. York.	Bp. Winchester.
D. Marlborough.	Bp. Peterborough.
Ld. Steward.	Bp. Carlisle.
E. Shaftesbury.	L. Brodrick.
E. Chichester.	L. Overstone.
E. Nelson.	L. Belper.
E. Harrowby.	L. Blachford.
Bp. London.	L. Selborne.

And, on April 27, Marquess of Lansdowne *added*.

And, on April 28, Earl Stanhope *added*.

House adjourned at half-past Six o'clock,  
to Thursday next, Half-past  
Ten o'clock.

## HOUSE OF COMMONS,

*Tuesday, 21st April, 1874.*

MINUTES.] — SELECT COMMITTEE — Dean Forest, *appointed*.

SUPPLY — *considered in Committee* — Resolution [April 20] *reported*—GRANT TO SIR GARNET J. WOLSELEY, K.C.B. (£25,000).

PUBLIC BILLS—*Second Reading*—Municipal Privileges (Ireland) [33].

Committee—*Report*—Betting [78].

### IRELAND—DENOMINATIONAL EDUCATION—LEGISLATION.—QUESTION.

MR. O'CALLAGHAN asked the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Government to bring forward, this Session, any measure relating to denominational education in Ireland?

SIR MICHAEL HICKS-BEACH, in reply, said, he understood the meaning of the Question to be this—whether it was intended to substitute any purely denominational system of education for the national system of education now existing in Ireland? It was not the

intention of the Government to bring forward any measure during the present Session upon the subject.

### EXPLOSION AT ASTLEY DEEP PIT (DUKINFIELD).—QUESTION.

MR. MACDONALD asked the Secretary of State for the Home Department, If, considering the frequency of the disasters in the Astley Deep Coal Pits near Dukinfield, he will consider the expediency of instituting a special and searching investigation into the causes of the recent accident, and also into the general management of the mine or pits?

MR. ASSHETON CROSS, in reply, said, his attention had been called to the various serious accidents that had occurred at the colliery in question, and he had entered into communication with the Inspector of Mines on the subject. He would see what the inquiry that was to take place on the subject was to be, and it should be of a full and searching nature; but he could not say at present what form it would take.

### THE JUDICATURE ACT, 1873.

#### QUESTION.

MR. WATKIN WILLIAMS asked Mr. Attorney General, Whether it is the intention of Her Majesty's Government to bring in a Bill to postpone the coming into operation of the Judicature Act beyond the time fixed, namely, November next; and, if not, whether he can state how soon the Code of Rules providing the new practice and machinery necessary for the working of the Act will be laid before the profession and the public?

THE ATTORNEY GENERAL: The Government have not at present any reason to anticipate that it will be necessary to postpone the coming into operation of the Judicature Act beyond the time fixed by the Act—namely, the 2nd of November in the present year. The first division of the Rules of Court directed by the Act to be prepared for the purposes mentioned in the Act is already printed and in the hands of a Committee of Judges for their consideration and advice. The second division of the Rules is in the press, and will shortly be in the hands of the Committee of Judges and of such other persons and bodies as it may be judged right to consult upon the subject, and there is

*The Lord Chancellor*

every reason to believe that the remaining Rules, with the exception possibly of a few of a more formal character, will be in print and in the hands of the parties referred to before the 1st day of June.

#### ARMY—STAFF APPOINTMENTS.

##### QUESTION.

CAPTAIN NOLAN asked the Secretary of State for War, What is the number of Staff appointments of which the vacancies can only be filled by Officers who have passed the final examination of the Staff College by Royal Engineers or by Officers distinguished for service in the field; and, what is the total number of Staff appointments (including both the general and personal Staffs) provided for in the Estimates?

MR. GATHORNE HARDY, in reply, said, that the hon. and gallant Gentleman would find the information he wanted in page 13 of the Army Estimates. There were 195 Staff appointments altogether which were provided for in the Estimates. There were 18 appointments of Deputy Assistant Adjutant-Generals and Deputy-Quartermasters. There were 22 Brigade Majors. Seven of these Deputy Assistant Adjutant Generals were Musketry Instructors and required special qualification.

#### CIVIL SERVICE COMMISSION.

##### QUESTION.

MR. DUNBAR asked Mr. Chancellor of the Exchequer, Whether, following the precedent adopted in the constitution of the Labour Laws Commission, upon which two representatives of the working men have been placed, it is the intention of Her Majesty's Government to place upon the proposed Commission on the Civil Service one or more members of that Service of the grade of Clerk, taken from some public office outside the Treasury; and, whether it is intended that the proposed Commission should inquire into the alleged grievances of the permanent Civil Service as regarded organisation, or only into those grievances under which the temporary Clerks and Writers are said to labour?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he had considered whether it would not be expedient to place upon the Commission on the Civil Service a person occupied as senior clerk

in one of the offices, and he thought that in all probability a gentleman of that grade would be placed upon the Commission. He was in communication with the heads of several Departments upon the subject. It was intended that the Commission should inquire into the system of appointments and promotions and certain questions of organization in the Civil Service.

#### HOUSES OF PARLIAMENT—THE LIGHT IN THE CLOCK TOWER.—QUESTION.

MR. JAMES asked the First Commissioner of Works, If the light in the Clock Tower of the Houses of Parliament is to be permanently retained; and, if so, whether its objects might not equally be secured without the projections by which the architectural outline of the building is at present disfigured?

LORD HENRY LENNOX: The Clock Tower was proposed to the House as an experiment by a right hon. Predecessor of mine at the Board of Works—Mr. Ayrton. So purely tentative was it that Mr. Ayrton declined, at the time, to insert any sum to meet the expenses connected with it in the Estimates of that year. The question whether the light is to be made permanent or not is one in which I shall be guided solely by the wishes of hon. Members. I can, however, assure the hon. Member that, under any circumstances, it was never contemplated to retain the present glass lantern, which disfigures the Victoria Tower; at the same time, it is my duty to state that the cost of establishing a permanent light would be considerable both in the process of fitting up and its maintenance.

#### ARMY—REMOVAL OF KNIGHTSBRIDGE BARRACKS.—QUESTION.

MR. FORSYTH asked the Secretary of State for War, Whether, considering the importance of the neighbourhood and the strong feeling of the inhabitants against the continuance of the Knightsbridge Barracks, it is the intention of the Government to take down those barracks; and, if so, how soon?

MR. GATHORNE HARDY, in reply, said, this subject was only brought under his notice last night, when he saw his hon. and learned Friend's Question for the first time. Therefore, he had



not been able personally to come to any decision on the subject. There had been various negotiations and discussions on the subject; but no decision had been arrived at either with regard to putting the barracks in repair or removing them to another site. He could assure his hon. and learned Friend that the matter should have his consideration.

ARMY—PRISON AT WORMWOOD SCRUBS.—QUESTION.

MR. FORSYTH asked the Secretary of State for War, Whether the sum of £5,000 was not voted in the Estimates last year for the purpose of enabling a prison to be built at Wormwood Scrubs, with the view of removing there the prisoners now detained in Millbank Prison, and converting that prison into barracks for troops; and, whether any steps have been taken to give effect to such vote?

MR. GATHORNE HARDY, in reply, said, that the two subjects mentioned in the Question had no reference to the War Office Estimates at all. With regard to the projected prison near Wormwood Scrubs, a Vote was taken last year in the Civil Service Estimates. The site, he might remark, was not on Wormwood Scrubs, but on some land adjacent, which had been purchased from the Ecclesiastical Commissioners. No decision had been come to with regard to converting Millbank prison into cavalry barracks, and there were many objections to such a scheme.

ARMY—MEDICAL OFFICERS.  
QUESTION.

MR. HERBERT asked the Secretary of State for War, Whether it is true that on the recent occasion of the moving a battery of Horse Artillery from Ballincollig to Woolwich, and thence to Shorncliff, a medical officer was sent to march with them who was unable to ride, and that in order to accompany the battery one of the officers had to lend him a dog-cart?

MR. GATHORNE HARDY, in reply, said, his hon. Friend must imagine that some one at the War Office possessed the power of flying, or of being, like the bird mentioned by Sir Boyle Roche, in two places at once. The Question was only put on the Paper last night, and it referred to an occurrence in Ireland. It

had, therefore, been impossible to obtain the particulars.

INDIA—  
TELEGRAPHIC CORRESPONDENCE.  
QUESTION.

MR. O'DONNELL asked the Under Secretary of State for India, Whether his attention has been drawn to the collection of "Telegrams between the Government of India and the Secretary of State in Council, from October 1873 to 31st March 1874;" and, if it be actually the case that from the 18th of December 1873 to the 11th of February 1874 no less than eighteen telegrams of the India and Bengal Governments failed to elicit a single telegram in reply from the Council of State for India?

LORD GEORGE HAMILTON, in reply, said, he had read the telegrams alluded to by the hon. Member, and they appeared to him to be of such a nature as not to require replies. No telegram had been received at the India Office from the Governments of India or Bengal which required a reply and which remained unanswered.

METROPOLIS—VICTORIA PARK ACT, 1872.—QUESTION.

MR. SAMUDA asked the Financial Secretary to the Treasury, If he is aware that a notice has lately been put up in Victoria Park, near the Victoria Park Railway Station, offering to let ground in the Park on building leases direct from the Crown; and, if such appropriation of the ground to building purposes would not be in violation of "The Victoria Park Act, 1872," and the understanding come to between the Metropolitan Board of Works and the Government to secure the Park unbuilt over for the public?

MR. W. H. SMITH: I am aware that a notice has been put up offering to let about half an acre of land in Victoria Park for building purposes. The proposed appropriation of the ground is not, however, in violation of the Victoria Park Act of 1872, or of the understanding come to between the Metropolitan Board of Works and the Government. This particular piece of land was offered to the Metropolitan Board of Works, and expressly excluded by them from the arrangement as too small to be of any use. I have visited the

*Mr. Gathorne Hardy*



ground myself, and I am not without hopes that an arrangement may yet be made by which, without injury to the Crown Revenues, this half acre may be preserved to the Park; but there is no power under the Acts regulating the management of Crown Lands to make a free grant of it.

#### THE SLAVE TRADE PAPERS.

##### QUESTION.

MR. CARTWRIGHT asked the Under Secretary of State for Foreign Affairs, Why the Slave Trade Papers, classes A and B, presented in August last, have not yet been distributed; and, whether a despatch dated the 30th of June has been correctly printed?

MR. BOURKE: The papers referred to were presented in a merely formal manner in August last. They were not at that time ready to be laid on the Table. I am not aware of the precise cause of the delay; but they are ready now, and will be distributed next week. I have compared the despatch of the 30th of June with the copy in the Foreign Office, and find that it is given verbatim in the Papers already printed. Some additional Papers connected with the slave Trade on the East Coast of Africa are in preparation, and will shortly be ready for presentation.

#### DEAN FOREST.

##### MOTION FOR A SELECT COMMITTEE.

COLONEL KINGSCOTE, in rising to move that a Select Committee be appointed—

“To inquire into the Laws and rights affecting Dean Forest, and the condition thereof, having especial regard to the social and sanitary wants of its increasing population; and further to inquire whether it is expedient that any, and if so what, legislation should take place with respect to such Forest, and the future disposition or management of the same,”

said, the Forest of Dean, which consisted of about 21,000 acres, was one which was famous in former times, but it was now being cut up and encroached upon. In 1712, according to Sir Robert Atkyns, there were only six cottages in the Forest, and these were occupied by the keepers; and in 1788 there were 589 cottages erected in it—all encroachments—with a population of nearly 3,000. Ten years later—in 1798—it was found that a number of pieces of land had

been enclosed also by squatters. In 1834, the cottages numbered 1,462, and the inhabitants 7,014, the total encroachments of land amounted to 2,108 acres. The total net revenue from the whole of these 21,000 acres was, according to a Return obtained in 1872, only £117,967 for 50 years, or £2,359 per annum, which was not more than 2s. an acre. But various deductions had to be made from this, which brought down the net income for the service of the State to £1,133 per annum, or about 1s. 7d. per acre. In 1831 a Commission was appointed to inquire into the conditions of the Forest, and in 1838 and in 1842 Acts of Parliament were passed in relation to it, but since then the work of improvement had not gone on as it ought to have done. There had been inquiries on the subject, but further inquiry was greatly needed. The policy of the past in regard to the Forest had been to treat it altogether as a nursery for the growth of timber for the Crown, and until lately attention had not been directed to its mining capabilities. While in 1712 there were only six cottages of workmen in the Forest, in 1871 there were 4,400 cottages, and a population of over 22,000. The net revenue to the Crown from coal, iron, and other minerals, was, in 1821, £73; in 1844 it was £2,858; in 1860, £6,635; in 1868, £13,983; and in 1871, £14,604. It was evident that the state of the Forest had completely altered during the last 50 years and more, and it was high time now to depart from the folly of continuing the costly system of growing timber, and leaving the waste lands uncultivated and unremunerative. The more prudent course would be to make a change to suit existing circumstances. The mineral riches of the Forest were still very great, the increase in the demand for coal and iron was still going on, and had led to the opening and diligent working of more mines, and consequently to a very great increase of the population. The sanitary condition of the Forest, however, was in a very bad, and even a deplorable state. There was no parochial system, no drainage, no surveyor of highways, and no constitutional authority whatever within its bounds. It had but one turnpike road, which was totally inadequate to its wants. Speaking from an experience

of 22 years, he could say that, as regarded capabilities of locomotion, the condition of the Forest was as bad now as when he first knew it. Being Government property it could not be rated, and although the Crown contributed about £315 to the poor rates, in other respects it was not rated at all. The houses were built without any regard to order, there was no water supply, and typhoid fever had prevailed. These facts were attested by gentlemen who were total strangers to the district, except so far as they had visited it, and they were given in evidence before the Committees that had already inquired into the subject. He wished Members could go down to the place and see the condition of things which was due to the absence of any sanitary highway or parochial authority. This inquiry would, no doubt, be of great advantage to the Crown, as well as to the inhabitants of the district, if it led to increased powers being given by the Legislature to the former to allow waste land to be sold for building, as well as in small plots for cultivation, and thereby enable the latter to obtain proper and sufficient habitations, with the means of raising the necessaries of life. The hon. and gallant Gentleman concluded by moving for the Select Committee.

MR. R. E. PLUNKETT, in seconding the Motion, said, this was not a case of the familiar claims of the conventional working man; he did not advance the dubious claim of disaffection; the case simply was that there was a population of 25,000 in the Forest, without sanitary provision for 5,000, or proper house room for half their number. From one of those complications of Rights so often fertile in Wrongs, the evils were daily increasing without the fault of any one, and unless the question was taken up by the Government the evil would go on increasing as it had done up to that time. For years after the Forest of Dean had become an extensive iron and coal field, it was administered simply as if it were a forest for supplying oak to the Navy; and an administration admirably adapted to watching the slow growth of oaks was not adapted to the growing wants of a mining population. The population had trebled itself in 38 years, and such a rate of increase could not be met by inelastic legislation. The account

given of the sanitary condition of the place by his hon. and gallant Colleague was in no sense exaggerated. There were no sanitary regulations—the people often had to go a mile for pure water, notwithstanding that miners often required a good deal, and the roads were very much neglected. During the last eight years only 13 acres 2 roods 17 poles of land had been sold, and, though it was called waste, it fetched £3,357 13s. 6d., or about £246 8s. 6d. per acre. Much had been said about the extravagance of miners. Was not this making them extravagant? He did not ask that the miners should have free houses and free gardens; but, seeing that the mines were sometimes closed two and three days a-week, and the miners were driven to spend periods of compulsory idleness in the public-house, it would be in every way a great advantage if they could have gardens to cultivate when the pits were closed, and in which the women and children could work, instead of working, as they did now, on the pit bank. This of itself would be a great step towards sanitary reform, for the gardens would absorb those accumulations which were now insufferable nuisances around the homes of the people.

Motion made, and Question proposed,

“That a Select Committee be appointed, ‘to inquire into the Laws and rights affecting Dean Forest, and the condition thereof, having especial regard to the social and sanitary wants of its increasing population; and further to inquire whether it is expedient that any, and if so what, legislation should take place with respect to such Forest, and the future disposition or management of the same.’”—(*Colonel Kingscote.*)

MR. W. H. SMITH said, he should not detain the House at any length, as it was the intention of the Government to grant the Committee. In doing so they did not wish to commit themselves to any policy whatever, or to the acceptance of the statement of his hon. and gallant Friend (*Colonel Kingscote*); not that they questioned in the slightest degree the many facts he had communicated to the House. The question was one full of difficulties, which it was right a Committee should investigate. One of the main difficulties arose from the rights of squatters who had been allowed to occupy property belonging to the Crown, and had thereby acquired certain interests in it. Their rights could

*Colonel Kingscote*

not be lightly tampered with, but it was desirable that they should be defined more clearly than at present. Another difficulty consisted in the limited power which the Crown had of selling property in the Forest. It was probable that much good might be done by legislation, but it was certainly not expedient that it should be rash or hasty legislation.

*Motion agreed to.*

Select Committee *appointed*, "to inquire into the Laws and rights affecting Dean Forest, and the condition thereof, having especial regard to the social and sanitary wants of its increasing population; and further to inquire whether it is expedient that any, and if so what, legislation should take place with respect to such Forest, and the future disposition or management of the same."

And, on April 28, Committee *nominated* as follows:—Colonel BARTHELOT, Mr. WILLIAM CARTWRIGHT, Sir FRANCIS GOLDSMID, Mr. HERMON, Sir GEORGE JENKINSON, Dr. LUSH, Mr. NEVILL, Mr. PEASE, Mr. R. PLUNKETT, Mr. WILLIAM PRICE, Mr. WILLIAM HENRY SMITH, Mr. W. STANHOPE, and Colonel KINGSCOTE:—Power to send for persons, papers, and records; Five to be the quorum.

And, on May 4, Mr. GEORGE CLIVE, and Mr. GOLDNEY *added*.

## INDIA (DROUGHT IN BENGAL.)

### RESOLUTION.

#### SELECTION OF DESPATCHES.

MR. O'DONNELL rose to move—

"That in the case of Abstracts and Summaries, such as the 'Abstract of Correspondence between the Government of India and the Secretary of State in Council relative to the drought in Bengal,' recently presented to Parliament without any guarantee as to the selection or editing of the contents, the name of the selector or editor shall be appended for the information of Parliament."

The hon. Member said, he could not help thinking this would be one means of insuring the *bona fides* of such abstracts and summaries, which were often over-carefully trimmed and edited. The Abstract of Correspondence between the Home and Indian Government, it had been generally observed, bore all the marks of having been carefully selected and prepared for a purpose. *The Pall Mall Gazette* had a leading article on the subject, pointing out that the practice of official editing was increasing and becoming dangerous. *The Spectator* remarked that an Abstract worse, or more carefully edited, had not recently come under its notice. It was above all things most important, at such a crisis, when a great calamity was impending over our

fellow subjects in India, that public opinion should not be led in a wrong direction; but he was afraid it had been so led, and designedly. He did not wish to make more reference to debatable matter in connection with the Indian Famine than was necessary; but it was known that two schemes of policy were under consideration and divided the supreme Government of India and the Bengal Government. There were two camps—one containing a large number of those old and experienced administrators in India who, being conversant with former famines and aware that the greatest efforts could alone deal successfully with the emergency, insisted that, if necessary, the entire force of the Imperial Government in India should be applied to stave off the famine; and in the other there were a number of gentlemen who—though no doubt equally willing to prevent disaster and equally sorry when that disaster turned out more serious than they had anticipated—did not rise to the height of the occasion, did not recognize the immensity of the disaster pending, and who, when the most vigorous measures were required, attempted to stop the famine by palliatives scarcely equal to alleviate the distress in a corner of the country. The despatches relating to this famine showed that Sir George Campbell, the late Lieutenant Governor of Bengal, at the very first proposed that no more grain should be allowed to leave India. Lord Northbrook trusted to private trade. A great many other propositions were made which were rejected by the Governor General, and though no doubt the Governor General had miscalculated the extent of the disaster, the Abstract presented to the House did not give them to understand that Sir George Campbell's policy was necessary for the occasion. Instead of being a fair and impartial summary of the state of affairs in India, the publication was what he might call in brief a Northbrook pamphlet, as it only showed one side of the case, although the policy of the Viceroy had been entirely abandoned. On the 10th of November, 1873, a conference was held at Calcutta House between the Governor General, the Lieutenant Governor of Bengal, and a large number of Indian officials, when the question of the famine was fully gone into. During the whole of the discussion the Lieu-

tenant Governor was prominent in recommending the most vigorous measures, while the Governor General was still unable to perceive the necessity for such measures. On the same day the Lieutenant Governor wrote a remarkable letter pressing on the Government the measures to which he had called their attention; but the editor of the summary, in referring to that letter, said "it was written, it may be presumed, before the actual discussion at the conference." He could only interpret the words "it is presumed," as meaning that if Sir George Campbell had heard the cogent reasons of the Governor General he would not have written the letter; but this insinuation of the editor was contradicted by the fact that immediately after those reasons became known the Lieutenant Governor followed up the policy he had already advocated by asking for a large advance of money on account of relief works. To this demand the Governor General replied on November 13 by a refusal. There could be no doubt that Sir George Campbell had been thoroughly alive to the severity of the crisis, and had been opposed in his schemes to remedy the evil; yet, from the account in the Abstract of a conference held at Government House, Calcutta, on the 8th of January, it appeared as if the Viceroy had been the prime mover and originator of everything that could possibly be necessary for the relief of the famine-stricken. In fact, one would think that but for the Viceroy, Sir George Campbell would have neglected the preparations which the crisis demanded. When it was remembered that two months previously Sir George Campbell had urgently besought the Supreme Government to take adequate measures, it did seem hard that all credit should be denied to him in this manner. There was another point to which he would direct attention, and in making these remarks he begged it to be understood that he was not discussing the policy of the Government of India, but was simply contending that the relative positions of the two Governments had not been fairly shown. The speech delivered by the Viceroy in reply to an address presented by the Municipality of Agra was described in the Abstract as "in the main a clear and forcible statement of facts and opinions which have already been collected and summarized."

Mr. O'Donnell

In point of fact, this speech of the Viceroy was of the most vague and generally optimistic nature. "The Government had made every preparation"—"the Government had no apprehension"—"the Government were fully aware of the whole of the circumstances;"—such was the tenor of the observations; and by a sort of grim irony the official narrative of the dearth, drawn up at the time the speech was delivered, began with the remark that there was an "absence of any reliable information." On the one side it was stated that Government knew everything; on the other there was an admission that they were groping in the dark. He made no objection to the Viceroy's speech. Necessarily, being addressed to such an audience, it was of an optimistic character, for it was important that no occasion should be given for a panic; but to bring it forward as a "clear and forcible statement of facts and opinions" was going a little too far. It was attaching importance to an utterly unimportant communication. There were distinct indications of an *animus* and bias in the publication to which he was drawing attention. Everyone who took an interest in Indian affairs and took a candid view of them, would have thought it only natural that in an Abstract of this nature some note should be taken and some specimens given of the highly important and weighty Minutes, anticipations, and estimates of the Lieutenant Governor of Bengal. Sir George Campbell's policy had been opposed by the Viceroy during the first two or three months of the Famine danger, and no doubt Lord Northbrook had thought that in taking this course he was working for the best; but, as a matter of fact, it was the policy of the Lieutenant Governor which was now followed, while that of the Viceroy, having presumably been found to be wrong, had been wholly abandoned. Although speaking from the Liberal benches, he had no hesitation in saying that nothing more fortunate had ever happened to a population on the brink of a terrible distress than the appointment of the Marquess of Salisbury—a nobleman of high intelligence and masculine will—to be Secretary of State for India. With the accession of the Marquess of Salisbury a new era commenced in the treatment of the Bengal Famine, and the



policy of the new Secretary of State had been, in fact, a thorough adoption of that of Sir George Campbell, the late Lieutenant Governor of Bengal. In every respect the former policy of Lord Northbrook had been ordered to be given up—often in telegrams and despatches of singular insistence—by the present Secretary of State for India. Well, in the official publication there was not a single despatch from Sir George Campbell given *in extenso*. There were two despatches from the Duke of Argyll, in very guarded anodyne terms, acknowledging that Lord Northbrook was doing his best, and giving him full permission to do his best. Another document given in full was a Minute of the Viceroy giving his reasons for disapproving a prohibition of the export of grain. Now, considering the great importance of that subject, it would surely have been well, when one side was given, to have given also some of the powerful statements of the Lieutenant Governor, so that Members of the House might be enabled to form a judgment for themselves. Another point to which he wished to allude was this, that at page 21 the Viceroy was represented as having “alluded to the fact that every requisition and suggestion of the Government of Bengal had been complied with, except the prohibition of export.” Now, considering Sir George Campbell demanded in November a great advance of money with a view to the immediate commencement of relief works, the scattering of relief houses broadcast over the land, and the distribution of grain within an easy distance of every village, and that this demand was positively refused by the Governor General, it did seem strange to find the Viceroy represented on the 23rd of January as having complied with every requisition and suggestion of the Government of Bengal. In one sense the words might be true, for the Viceroy, having discovered the utter inadequacy of his own policy, had found it necessary to adopt the great measures of relief proposed by Sir George Campbell, but the language of the Abstract conveyed the impression that there had been all along a hearty co-operation with the Lieutenant Governor. There was a minor matter—namely, the extraordinary style in which the Abstract was couched—to which it might be well to call the attention of the House. As

much as possible, an Abstract ought to be a clear, dry, impartial summary, and any expression of opinion as to the importance of documents should be left entirely to the House. But the editor of this Abstract, trenching almost on the Privileges of the House, informed them that such and such a document was “most important,” and such another a “careful summary.” Surely, it was not for an anonymous compiler or editor, or even any editor whatsoever, to suggest words of approval or reprehension for the adoption of Parliament. As a specimen of the style employed, the compiler stated that the Correspondence contained “a powerful letter from the Bengal Government.” Who authorized him to say whether such a letter was powerful or not? It was little short of trenching upon the Privileges of that House to declare in what light they were to regard Papers which were to be subsequently submitted to their attention. In pages 16 and 17 similar expressions of opinion were to be found, and they were told that such a reply was “carefully prepared,” and that such an address was “a clear and forcible statement.” It would be some safe-guard against such a system if the House knew at least the name of the gentleman who had arrogated to himself such lofty functions, and it would be only due to his own sense of his importance that he should be required to put his name to his compilation. It was possible that if a man's name were brought forward he would be more cautious, both in the selection of the Papers and in the communication of his opinion of the importance of this or that document. He was perfectly willing to withdraw his Amendment if Members having greater experience could suggest some other means by which his object could be gained. Something, however, was necessary to re-assure the House and the country, and to restore a sense of confidence that Abstracts of this kind had not been tampered with. It was clear that departmental responsibility had not been sufficient to prevent excesses of this kind. The hon. Gentleman concluded by moving his Resolution.

CAPTAIN NOLAN seconded the Resolution.

Motion made, and Question proposed, “That in the case of Abstracts and Summaries, such as the ‘Abstract of Correspondence



between the Government of India and the Secretary of State in Council relative to the Drought in Bengal,' recently presented to Parliament without any guarantee as to the selection or editing of the contents, the name of the selector or editor shall be appended for the information of Parliament."—(*Mr. O'Donnell.*)

LORD GEORGE HAMILTON said, he did not see much objection to the Motion, and if the hon. Member would consent to strike out the four words "such as the Abstract," he should offer no opposition to the Resolution. He had, however, listened with astonishment to the speech of the hon. Gentleman. He had stated in plain language that, in consequence of no signature being attached to this Abstract of Correspondence, the India Office had trimmed and selected it for the purpose of leading the public to a wrong conclusion, and that it was not an impartial statement, but showed an *animus* and bias. This was strong language for any Member of that House to use, and before bringing forward such a charge against a public department, he ought to have availed himself of all the information within his reach. It was clear, however, that the hon. Member had not read the despatches from which the Abstract was made, for they were only published that morning; yet, not having read the original despatches, he declared the Abstract compiled from them to be garbled. He doubted whether the hon. Member had even read the Abstract with any care. His whole objection to it was that it was not signed; but if the hon. Member would look to the close of the Abstract he would see that it was signed—to use his own classic phrase—by the distinguished appellation of Sir Henry Anderson, the chief of the India Revenue Department. The present Government had nothing to do with the policy of Lord Northbrook and Sir George Campbell as originally proposed. When the Marquess of Salisbury came into office there was but one scheme before the India Office, and he felt it to be his duty to support it, because he believed that it was capable of saving the lives of many thousands who were seeking relief. If that scheme succeeded, there would be ample time afterwards to decide to whom the merit of having originated the scheme was due. He would not detain the House by contradicting the statements of the hon. Gentleman; but they were founded upon

a complete misapprehension—namely, that no person had signed this Abstract, and that in consequence a licence had been taken which otherwise the head of the Department would not have allowed. Sir Henry Anderson, who had signed the Abstract, was a most distinguished public servant, and he was also an intimate friend of Sir George Campbell. He could, therefore, be implicitly trusted to make a fair and impartial Abstract of the despatches between the India Office and the Government of India. He could not conceive that a public Department would knowingly publish an unfair Abstract of Correspondence when they knew that the despatches themselves were to be laid upon the Table of the House a few days afterwards. The Marquess of Salisbury was most anxious to afford all information to the House of Commons and to the country at large upon the subject of the famine, and he directed Sir Henry Anderson to continue the Abstract, which had been commenced before he came into office, because it was impossible to publish within a few days so great a pile of despatches, and he wished the public to have the substance of the information without delay. The course taken by the Marquess of Salisbury would, he trusted, commend itself to the House. He did not think it necessary to enter into the merits of the measures adopted by the Indian Government. The hon. Gentleman would have an opportunity of reply; and he (Lord George Hamilton) hoped he would take the opportunity of withdrawing the charges he had made, not only against the India Office, but also against a distinguished public servant like Sir Henry Anderson.

Amendment proposed, in line 2, to leave out the words "such as the 'Abstract.'"—(*Lord George Hamilton.*)

GENERAL SIR GEORGE BALFOUR joined in the hope that the unpleasant charge against Sir Henry Anderson would be withdrawn, and bore testimony to the honourable character and good service of that distinguished public servant as a thorough guarantee to the House for the fidelity and trustworthy nature of the summaries of the Correspondence relating to the Famine. A more difficult task could not be assigned to anyone than that of placing before the House an exact and unobjectionable

Abstract of the views about the Famine—so variously expressed by the many authorities who had recorded opinions—and tried to give facts which, though correct one day, were gain-said the next day by the ever-changing phases of the condition of the people. He deprecated any premature discussion on the Indian Famine, for the simple reason that if no greater evils than those at present known fell on the people, we had little to complain of; but he feared, from the alarming news recently received, that still greater calamities were to be apprehended next June, July, and August. This opinion was founded on the experience gained in the great famine of 100 years ago, when one-third of the population of Bengal were its victims. That famine was anticipated, owing to failure in the rains, as early as September, while this was not seen until November, whereby two months were lost in making more timely preparation to lay in stocks of grain. The population, which was then 10,000,000, had now increased to 60,000,000; and, judging from the information as to the extent of cultivation existing at the end of last century, the land set apart for raising rice was double the area of the land at present stated to be under this cultivation. But in respect to statistics, he was sorry to say that the Permanent Settlement had cut off from the Government, or prevented the Government from collecting those useful statistics regarding the people and agriculture of Bengal, which could be obtained from all other parts of India.

MR. O'DONNELL said, that in the course of his speech he did his utmost to avoid imputing anything improper to any person; but, at the same time, men of the most honourable private character would, under the influence of strong party feeling, put forth statements to which legitimate objection might be taken. Nevertheless, respect for private virtue ought not to blind Members to what caused inconvenience to the public. Of course, he did not challenge the statement that the signature of Sir Henry Anderson at a certain page of the Abstract carried with it editorial responsibility. For all that, there had really appeared to be no clue to the person who was responsible for the compilation of these Abstracts. Sir Henry Anderson's signature seemed

purely to refer to an isolated tabular Return of exports, and the presumption that this was the case was strengthened by the circumstance of the tabular Return in question emanating from the Revenue Department, of which Sir Henry Anderson was the Secretary. The noble Lord the Under Secretary of State for India had not given a single reason against the Motion; but he had resorted to a line of argument which it was difficult to reply to by appealing to the private virtue of officials, which was tantamount to closing a Member's mouth. If he had stated anything incorrectly, the vast experience of the noble Lord, and his knowledge of the despatches themselves, would have enabled him to point out the inaccuracy; but the noble Lord had limited himself entirely to a personal matter—namely, the great respectability of Sir Henry Anderson, which was not a fair way of putting pressure on a Member. He attached comparatively slight importance to the technical success of his Motion, and believing that publicity was the best correction of the practices of which he had complained, he was prepared to accept the alteration proposed by the noble Lord in the terms of the Motion.

SIR FRANCIS GOLDSMID said, if the Motion were altered as proposed, there would be very little sense in it.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived*.

Main Question, as amended, put, and *negatived*.

#### EXPLOSION AT ASTLEY DEEP PIT (DUKINFIELD)

##### MOTION FOR A RETURN.

MR. MACDONALD moved an Address for—

"Return of all the lives lost in the Astley Deep Pit, Dukinfield, with cause of the loss of life and date of the same; and, Copy of the opinion of the Inspector of the district, Mr. Wynne, on the management and state of ventilation of the Mine at the time of explosion on the 8th day of March 1870."

The hon. Member said, that in asking for this Return, he had no desire to appear to the House invidious by selecting this single colliery; but when such disasters as that which occurred last week were repeated again and again, he thought it was a fair subject for the fullest inquiry, in order to allay the

tremor in the public mind, and, if possible, to get at the true cause of the disaster. A short time ago that House, in conjunction with the other House, passed a Bill—the Mines (Coal) Regulation Bill—for the better inspection and regulation of mines, which gave to the mining population immense satisfaction and to the general community the impression that there would be perfect security to the men who worked underground in the pursuit of their occupation. But if there should be a repetition of such a disaster as that which occurred last week, by which 53 of our fellow men were almost in a moment flung into eternity, the public would lose confidence in a statute which he believed was well qualified, if fully carried out, to preserve the lives and the health of miners. He trusted that every facility would be afforded for obtaining full information as to the disasters in mines.

MR. ASSHETON CROSS said, that no one was more anxious than himself that there should be a full and impartial inquiry into the cause of the accident referred to by the hon. Gentleman. It was an accident of no ordinary severity. He believed that no fewer than 48 lives had been lost by it. The Return for which the hon. Gentleman moved would be laid on the Table of the House as soon as it could be prepared. With regard to the opinion of the District Inspector, Mr. Wynne, if the hon. Member would look in the volume of Reports on Mines for 1871, he would find that an accident occurred in this mine in 1870 by which nine persons lost their lives. The Inspector made a Report, in which he said that nine persons had been killed; that the accident had been caused by bad management, or, rather, by no management at all; that for two years he had been warning the proprietor that some accident of the kind was inevitable if a competent manager were not appointed to that mine. The Inspector went on to say that he thought the manager a very good underground man, but not a man having the amount of specific knowledge that was requisite for managing a mine of that character, or one fit to meet any emergency which might arise. That opinion of the Inspector was endorsed, not only by the Coroner, but by the jury. There was nothing more important than that the mining population should be assured

*Mr. Macdonald*

that every possible precaution was taken to insure their safety, and that the Act passed some two years ago should be thoroughly carried out; while, on the other hand, he conceived there could be nothing more satisfactory to the proprietors of mines in general, or even of that particular mine, than that the case should be thoroughly investigated, in order that, if it should be shown that there was no fault of their own part, their character might be cleared. In conclusion, he would take care that there should be a full, searching, and impartial inquiry made into the whole circumstances connected with this accident. The Returns for which the hon. Member had moved would be laid on the Table.

*Motion agreed to.*

*Address for—*

“Return of all the lives lost in the Astley Deep Pit, Dukinfield, with cause of the loss of life and date of the same:”

“And, Copy of the opinion of the Inspector of the district, Mr. Wynne, on the management and state of ventilation of the Mine at the time of explosion on the 8th day of March 1870.”—  
(*Mr. Macdonald.*)

#### BETTING BILL—[BILL 4.]

(*Mr. Anderson, Sir William Maxwell, Mr. Stevenson, Mr. M'Lagan.*)

#### COMMITTEE.

*Bill considered in Committee.*

MR. ANDERSON said, it had been suggested to him that instead of moving the Amendments on Clause 4, of which he had given Notice, he should move certain alterations on Clause 3, and leave out Clause 4 altogether. He moved that the words “letters, circulars, and telegrams” be added to Clause 3.

SIR HENRY SELWIN-IBBETSON did not propose to offer any objection to this Bill, but it was an inconvenient mode of proceeding, to move Amendments of which Notice had not been given.

MR. ANDERSON said, the proper and more convenient course would probably be for the Chairman to leave the Chair and report Progress.

MR. ASSHETON CROSS remarked that he had no objection to the hon. Member proceeding with the Bill if he consented to have it reprinted.

MR. ANDERSON agreed to do so.

*Bill reported; as amended, to be considered upon Monday next, and to be printed. [Bill 78.]*

## MUNICIPAL PRIVILEGES (IRELAND)

BILL.—[BILL 33.]

*(Mr. Butt, Sir John Gray, Mr. Bryan, Mr. P. J. Smyth.)*

## SECOND READING.

Order for Second reading read.

MR. BUTT, in moving that the Bill be now read a second time, said, he thought a simple statement of its provisions the best argument he could use to induce the House to assent to its principle. The object of the measure was to give to corporations in counties, cities, and towns in Ireland the same privileges as corporations in counties, cities, and towns in England enjoyed. In the shape in which he intended ultimately to present it to the House, the Bill dealt with only two offices, those of the High Sheriff and the Clerk of the Peace. There was in the Bill at present a clause restoring to the corporation of Dublin the right of electing their Recorder as the corporation of London now elected theirs; but he thought there was an answer to that analogy. In a Bill professing to claim equal privileges for the two countries, he could scarcely avoid making that claim for the corporation of Dublin. But the Corporation of London was not included in the English Municipal Reform Bill. All the corporations which were included in it lost the privilege of electing their Recorders. Therefore, he could not rely on that accident as entitling him to claim that privilege for the City of Dublin, and if the House read the Bill the second time he intended in Committee to move the omission of that part of the measure. As to sheriffs and clerks of the peace, he had an unanswerable case. From ancient times wherever there was a corporation in a county or town, that corporation possessed the right of electing its own sheriffs. On the reform of municipal corporations, the right was retained in England, while in Ireland it was vested in the Crown. Whatever might have been urged for this on the principles of a policy which he hoped was bygone, the distinction could not be justified in the present state of political feeling. Exclusive of the City of London, which elected sheriffs not only for London but for Middlesex, there were 20 English corporations which enjoyed the right; while in Ireland not a single sheriff was nominated by popular election. Could English Gentlemen assign any reason

for this difference? The six or seven towns to which this Bill applied lost that privilege when the corporations were thrown open to public election, and the appointment was transferred to the Crown. He did not want to quarrel with the decision of the House on his proposal to allow Irish corporations to be elected by household suffrage; but that decision had made more odious the distinction between the two countries, for in England corporations elected by household suffrage enjoyed a right denied to Irish corporations elected on a very high franchise. In Kilkenny the corporation was elected by 272 burgesses; while in Lichfield, with a population about one-third that of Kilkenny, there were 1,000 burgesses, the sheriff being elected by an assembly chosen by household suffrage, while Kilkenny was denied that right. He asked, ought Irishmen to be satisfied with this? It might be called a light matter; but none of these things were light matters. It was a galling badge of inferiority to Irishmen to feel that a privilege conceded to an English was denied to an Irish city, and it could only be justified on the principle of treating Ireland as an inferior and conquered nation. In introducing the Irish Municipal Reform Bill in 1837, Lord Russell, a statesman still honoured in this House, said the question was whether the Irish people were fit to enjoy Constitutional rights, or whether they should be proscribed as unfit to enjoy the rights of Englishmen, and be proclaimed an inferior race of beings. The same issue was now raised, which no figures or ingenuity could evade, as was done the other night by urging a difference between the two countries as to the number of £4 or £5 occupiers—considerations by which the principles of the Constitution had been frittered away. Against Irish remonstrances, the class vested with the inheritance of the ancient charters had been fixed in Ireland on a narrow and exclusive franchise; but the persons so intrusted with corporate rights were plainly entitled to the same rights as English corporations. He thought that the decision come to by the House the other night with regard to the other Bill which he had proposed was an unanswerable argument in favour of the passing of the present Bill. For the sake of the peace of Ireland and of this country, for the sake of the union and



the affection which ought to exist between two members of an Empire which he hoped might long remain united—if it did not it would be the fault of this unwise and invidious legislation—he asked English Gentlemen whether they were prepared to treat him because he was an Irishman as an inferior being, and to treat his countrymen as an inferior race. The hon. and learned Gentleman concluded by moving that the Bill be now read a second time.

SIR MICHAEL HICKS - BEACH wished, first of all, to say that the Bill rejected on Friday night was not rejected from a desire on the part of any Member to deprive Ireland of any privileges conceded to England, but because the circumstances of the two countries were so different on that point, that a franchise in Ireland would swamp property by numbers which had not that effect in England. The Bill now before the House might be considered under three heads. With regard to the Recorder of Dublin, he did not wish to make any remarks upon that point, because he understood the hon. and learned Member to say that he would not press it in Committee. But he might remind the hon. and learned Gentleman that, in addition to the reasons which he had himself given against his own proposal, there was this difference between the Recorderships in London and Dublin—that whilst the Corporation of London paid the salary of their Recorder, four-fifths of the salary of the Recorder of Dublin was paid by the Crown. It, therefore, seemed reasonable that the Crown should have the power of appointment. But with regard to the matters which the hon. and learned Member proposed to leave in his Bill—namely, the transfer of the power of appointment of sheriffs and clerks of the peace from the Lord Lieutenant to the municipal authorities, it was true that in England, in boroughs having their own courts of quarter sessions, the Town Councils had the right of appointing their clerk of the peace, while in Ireland the appointment was vested in the Lord Lieutenant. Looking at the second reading of the Bill as the admission of a *prima facie* case, he had no reason to offer why the practice in Ireland should not be assimilated to that in England. At any rate, the point might fairly be considered in Committee, though

*Mr. Butt*

technical questions might then arise as to the duties and position of clerks of the peace. With regard to the appointment of sheriffs, it occurred to him that some of the most important duties of the sheriff in Ireland had been taken away by the recent Jury Acts. But those Acts were at present merely temporary, and the whole question of juries in Ireland was under the consideration of a Committee which was only appointed last night; so that until the question had been settled it might be doubted how far it was advisable to deal with the mode of the appointment of sheriffs, who formerly selected jurors. This, however, was not a sufficient ground for his opposing the second reading of the Bill, as this point could be fully discussed in Committee, in the presence of the Attorney General for Ireland, who was now detained elsewhere by other duties. Subject to the understanding that both these questions could be discussed in Committee, he had no objection to offer on the part of the Government to the second reading. He hoped they would hear no more of a charge which the hon. and learned Member for Limerick (Mr. Butt) was hardly justified in making—namely, that proposals made in respect of Ireland were dealt with on a different basis from that which was adopted in the case of England. He could assure the hon. and learned Gentleman that neither the Government nor, so far as he knew, any Member of the House, had any wish to deal with Irish measures except upon a fair and reasonable footing, and with an anxious desire to arrive at that solution which was best for the interests of Ireland.

COLONEL BRUEN expressed a hope that attention would be given to the details of the Bill in Committee, more especially to the proposal to vest in corporations the right of appointing clerks of the peace, because he was not at all certain that the duties of clerks of the peace in England and in Ireland were identical. With that observation, however, he was glad that the Government had assented to the second reading of the Bill.

THE MARQUESS OF HARTINGTON observed that as to the appointment of clerks of the peace, he thoroughly concurred in the decision at which the Government had arrived—namely, that under certain conditions those appointments might be vested in corporations.



He trusted, however, that the decision would not be held to confer upon those elective bodies any vested right in the appointment of those officers; and for this reason—that the late Government, after carefully considering the subject, had arrived at the conclusion that the office of clerk of the peace in counties and counties of cities might very well be abolished altogether, and the duties combined with those of the clerk of the Crown. That conclusion was embodied last Session in the County Officers Bill, but time did not permit of its being proceeded with. He trusted that Her Majesty's Government would take an opportunity of considering that question, and believed that if they did they would arrive at the same decision. If they should, the present concession to corporations ought not to be a barrier to giving effect to that view. With respect to the concession as to the appointment of sheriffs by the corporations, he could only say he was extremely glad that they had been able to come to that decision—if, indeed, they had done so—as the right hon. Gentleman had intimated that that part of the question might be open to further consideration. He could, however, hardly imagine that the Government, having assented to the second reading of the Bill, would in Committee oppose its most important clause. If the appointment of sheriffs was struck out, there would be nothing left but the power to appoint clerks of the peace, and to confer honorary freedoms. He could hardly suppose, therefore, that the Government would refuse their assent to the principal provision of the measure. He must say, however, that, had the Government arrived at a different conclusion, he should have felt considerable difficulty as to the way in which he should vote. The hon. and learned Member for Limerick (Mr. Butt) had said that all the powers in reference to the selection of jurors had been taken away from the sheriffs. That was so under the existing Act; but then it should be borne in mind that a Committee had been just appointed to review that Act, and there was no saying what alterations in the law might be made. The sheriffs, however, had the absolute selection and nomination of grand jurors, whose duties were intimately connected with the administration of justice, and he was glad that the Government thought that

the selection of so important a body could now be virtually intrusted to a popularly elected body. No more gratifying testimony to the state in which the present Government found Ireland could be borne than was shown by the course which they had taken in regard to this Bill.

MR. HORSMAN said, he could not help expressing the pleasure with which he had heard the speech of the right hon. Baronet the Chief Secretary for Ireland. It seemed to him inconceivable that there was any truth in the rumour that the Government intended to pooh-pooh the Bill, for its principle was the principle of assimilation, which to his mind conveyed the principle of Union. The principle of action in that House was to determinedly oppose what was known here as Home Rule, and the more determined they were in that direction, the more resolved they should be to encourage and appreciate measures for Ireland of a remedial character promoted in the Imperial Parliament. The more strenuously they opposed separation, the more willing should they be to welcome overtures towards assimilation. The Bill went a small way; but it was impossible to overrate the importance of its acceptance, as an indication of the future policy of the Cabinet. Ireland had always been a difficulty to English Governments, and particularly to all Conservative Governments. Happily, that difficulty was now removed, because the present Government was in as smooth water as any former Government had been, and it was a matter of congratulation to all those who valued the peace and contentment of Ireland to see a course taken by the Government which not only met the approval of both sides of the House, but would be approved on both sides of the Channel.

MR. MITCHELL HENRY said, that the other night the Government thought fit to oppose the second reading of a Bill to assimilate the Irish municipal franchise to that of England. He was glad that on this occasion the right hon. Gentleman did not think it desirable to pursue a similar policy. The Bill to which he referred—

MR. NEVILLE-GRENVILLE: I rise to Order. The hon. Gentleman, I submit, is not entitled to refer to a Bill not now under discussion.

MR. MITCHELL HENRY: I think I am entitled to refer to it for the purpose of showing the manner in which these questions have been dealt with in this House. On that occasion—[“Order.”]

MR. SPEAKER said, the hon. Member was not in Order in alluding to a former debate of the present Session.

MR. MITCHELL HENRY said, he should then confine himself to the Bill under discussion now; but seeing that the principle involved in both cases was the same, it was difficult to avoid illustrating the one by the other. The present was a particular Bill and a small Bill, but it had, no doubt, been carefully considered by the Government, and he hoped that the larger and more important Bills that would be brought before the House would be dealt with in a similar spirit. After all, there were only seven corporations in Ireland, and the Bill did little more than put into the hands of those corporations the power of selecting their own sheriffs, and give the appointment of an important paid officer, the clerk of the peace. He was glad that that patronage had been taken away from the Castle at Dublin; for it was mainly through those small offices that the whole country had been corrupted, and its Parliamentary representation demoralized. [*A laugh.*] Hon. Gentlemen opposite might laugh; but if they had read the history of the Union they would have seen that the policy which those appointments were to aid was deliberately intended for the corruption of Ireland, and had, unfortunately, only too well succeeded in its object. The Bill was to his mind inferior to others of its kind which would be brought forward, and unless the principle of assimilation could be conceded by both sides of the House, and they would lend their aid in extending to Ireland the privileges which larger measures would confer, there would be little advantage in passing this particular Bill.

SIR EARDLEY WILMOT said, that as a friend and well-wisher to Ireland, he desired to express the great satisfaction with which he had heard that it was not the intention of the Government to oppose the second reading of the Bill. He had not been aware that the hon. and learned Member for Limerick (Mr. Butt) intended on Friday night to bring on the second reading of his Bill

for assimilating the municipal franchise to that of England, or he should have taken the opportunity of urging upon the Government the desirability of entering upon a course of conciliatory policy towards Ireland by consenting to the second reading of the Bill. He hoped that what had taken place that evening would prove to be the inauguration of a series of measures showing high statesmanship, which he well knew no man in the House was better qualified to introduce than his right hon. Friend at the head of the Government. He was not a friend of what was ordinarily called Home Rule; although, looking back on the past history of his country, he almost hesitated to think that the Union, established by Pitt in 1800, had been the means of conferring great benefits upon Ireland. He could not say that the prophetic words of that great statesman, Grattan, had not been realized to a wonderful extent. The noble words which Pitt, with the most disinterested motives, and a sincere desire for the welfare of Ireland, used when introducing the Bill for the Union on the 2nd of April, 1800, merited attention. He said that his object in laying it before Parliament was—

“To calm the dissensions, allay the animosities, and dissipate the jealousies which have unfortunately existed; as a measure whose object is to communicate to the sister kingdom the skill, the capital, and the industry which have raised this country to such a pitch of opulence; to give to her a full participation of the commerce and of the constitution of England; to unite the affections and resources of two powerful nations; and to place under one public will the direction of the whole force of the Empire.”—[*Parl. History*, vol. xxxv. p. 40.]

He (Sir Eardley Wilmot), then, would go further, and say, with reference to the sacred compact then made—and upon the foundation of which the Union was established—namely, the maintenance and preservation of the Established Church of Ireland—if Pitt, when he used those words, could have foreseen that a statesman equal to himself in power and ability would ever consent to the introduction of a measure by which that sacred compact would be broken asunder, he would rather have cut off his right hand than propose the Union to the House. Here they were, however, with the Union before them, and certainly, also, with many of the results which Grattan had anticipated. Now,

too, they were confronted by the Home Rulers, of whom he wished to speak without the least disrespect, and, indeed, he was ready to give them credit for upright and honest intentions, fully believing that they had the interest of their country at heart. After this lapse of time, however, it was impossible that the Union, which had been brought about with so much care, could be dissolved. The Union was a final and inviolable settlement from which there was no return—“*Vestigia nulla retrorsum*”—Nor could Ireland ever have again her separate Legislature. But though it was now impossible to put an end to the Union, it was their bounden duty to introduce and carry to completion all measures that were calculated to promote the interests of Ireland, and develop more fully than had hitherto been done the material and internal resources of the sister country. The prosperity of Ireland had been checked, her industry damped, and her wealth drained from her. All that had been foreseen, and therefore it was that he for one would support to the utmost, not only measures introduced by the hon. and learned Gentleman the Member for Limerick, but every other measure which he conscientiously felt would bring the people of Ireland into an equal state of prosperity with ourselves. He agreed with the hon. Member (Mr. Mitchell Henry) that the system of administration which existed in Ireland was not the form and mode of government which ought to continue any longer in that country. The appointment of a Lord Lieutenant fostered and promoted party feelings, party jealousies, and party animosities to such a degree that he would appeal to his right hon. Friend at the head of the Government to say whether he would not, sooner or later, introduce a measure by which that state of things should be put an end to. He should like to see a member of the Royal Family permanently installed there as Viceroy, but without any political character, like our own Sovereign in England; which would tend to the return of that resident wealth and influence and nobility to Ireland, which now found a permanent home in the attractions and luxuries and pleasures of this country. The present office of Lord Lieutenant was, as they might say, merely a sham. It was not the first time he had avowed

that opinion; and he did not hesitate to say it was from a strong feeling of attachment to Ireland—he having many friends and some relatives there, admiring the many noble qualities possessed by her people, and knowing their loyal and generous feelings—that he urged these views upon the House, assuring them that if we did not take an unfair advantage of Ireland, Ireland would give us in return the strongest feelings of love and affection. He cordially supported the second reading of the Bill. He was glad the Government meant to allow the Bill to go into Committee, and only hoped they would take the same course on a future day, when the hon. and learned Gentleman's Bill to assimilate the franchise in the boroughs of Ireland to that in the English boroughs came on for discussion.

MR. LESLIE was happy to say that he entirely disagreed with the observations of the hon. Member who had just sat down. He congratulated the hon. and learned Member (Mr. Butt) on having achieved, with that brilliant strategy which he had already exhibited this Session, a third triumph of party feeling. He (Mr. Leslie) had a horror of Bills such as the one now before the House, which he believed were, in common with many others that were to come, both plausible and mischievous. The sister of this Bill, now happily entombed, had the same peculiarities, for while it pretended to assimilate the law of Ireland to that of England, the hon. and learned Member took care not to make known how totally different were the circumstances between the two countries. He detested Bills of this kind—possibly from a superstitious veneration for the principles of the old Constitution, which could never be departed from without danger to public liberty. He would not detain the House, especially as he appeared to be arguing against the wisdom of the Government, which was far from his intention. But he must hazard one more observation. In a speech which the hon. and learned Member for Limerick (Mr. Butt) delivered not long since, he complained of a grievance which now no longer existed—namely, that Irish questions were put off to the dead hours of the night, that it was frequently 2 or 3 o'clock in the morning before they came to be considered, and

he added "that there were then only the dregs and refuse of the House of Commons left to transact Irish business." These were the hon. and learned Member's words, and he could not deny them. [Mr. BUTT: Hear, hear.] He (Mr. Leslie) appealed to the "dregs and refuse" of the House to show real respect for, and fair appreciation of the true interests of Ireland by voting against the second reading of the Bill.

MR. SULLIVAN remarked that the hon. Member for Monaghan (Mr. Leslie) had informed them that he detested this Bill, but he did not give them any particular reason for doing so.

"I do not like you, Dr. Fell;  
The reason why I cannot tell,  
But this I know and feel full well,  
I do not like you, Dr. Fell."

The hon. Member detested the Bill, and there his argument began and ended. The speech of the hon. Member was a perfect contrast to the genial, kindly, and generous remarks of the hon. Baronet (Sir Eardley Wilmot) who had just spoken, and said that if he had been in the House the other night he would have voted for the second reading of the Municipal Franchise Bill. He congratulated the Chief Secretary for Ireland upon having had the courage to make the promise he had done in reference to this Bill. He would not refer to bygone debates; but the right hon. Gentleman must have gained great experience within the last few days, and he regarded in his altered conduct an honest desire to repair the mistake of a previous evening. He rejoiced at the support which the right hon. Gentleman the Secretary for Ireland gave to the second reading of the Bill, the frank manner in which he expressed himself in reference to Ireland, and in his declaration that he would in the present Session do all in his power to promote the interests of that country. Such a declaration deserved the acknowledgment and support of Irish Members. The secret of the difficulty which Conservative Governments had previously had in governing Ireland was that they were hampered by a section of their own followers from one corner of Ireland, who made up in the force of their acrimony for what they lacked in point of numbers. The right hon. Gentleman would find the history of the government of Ireland studded over with instances of a mistrust

*Mr. Leslie*

of popular government. He would find the greatest possible errors on the part of the authorities at the Castle in performing duties which ought to be entrusted to local bodies. They had recently taken over the power of appointing prison warders, and in one of the Dublin prisons a schoolmaster was appointed who could neither read nor write, whilst a master weaver was sent down from the Castle who had never seen a loom. The whole system in Ireland was cursed with this marked distrust of popular government, and the people of Ireland viewed with the greatest jealousy this constant withholding from them of privileges and rights which they could obtain by transferring their domicile to the other side of the Channel. He trusted that Her Majesty's Government would prefer having the support of such hon. Gentlemen as the hon. Member for South Warwickshire (Sir Eardley Wilmot), whose kindly feelings Irish Members were most happy to reciprocate, to relying upon the co-operation of that small contingent whose Representative had spoken that night.

*Motion agreed to.*

Bill read a second time, and *committed for Tuesday next.*

MR. BUTT said, he hoped that some facilities would now be given for proceeding with the Bill as the Government had given their sanction to it. He most cordially accepted the assistance which the Government had afforded him, and he hoped that he might look upon it as a kindly intimation of the friendly feeling of the Government towards Ireland.

MR. HORSMAN desired to ask the Prime Minister, whether the Bill could not, after what had occurred, be dealt with as a Government measure?

MR. DISRAELI: It appears to me that some business ought to be reserved for hon. Gentlemen opposite.

House adjourned at a quarter before Eight o'clock.



## HOUSE OF COMMONS,

*Wednesday, 22nd April, 1874.*

MINUTES.]—SELECT COMMITTEE—Jury System (Ireland), The O'Connor Don and Sir Arthur Guinness *added*.

PUBLIC BILLS — *Ordered* — *First Reading* — Allotments Extension\* [79].

*Second Reading*—Revenue Officers Disabilities [15]; Juries [18]; Conjugal Rights (Scotland) Act Amendment [45].

## PUBLIC PROSECUTORS BILL.

## QUESTION.

SIR EARDLEY WILMOT asked the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to bring in a Bill, during the present Session, for the appointment of Public prosecutors?

MR. ASSHETON CROSS, in reply, said, the Government did not intend to bring in any measure, dealing with the subject contained in the Question of the hon. Baronet. He thought the hon. Baronet would be perfectly aware that it had been under the consideration of the Judicature Commission, and it would be some weeks yet before their Report on it was received. When that Report was presented, it would obtain the most careful consideration at the hands of the Government.

## TRIBUNALS OF COMMERCE BILL.

[BILL 2.]

(*Mr. Whitwell, Mr. Norwood, Mr. Monk, Mr. Sampson Lloyd, Mr. Ripley.*)

## POSTPONEMENT OF SECOND READING.

MR. WHITWELL, in moving that the Order for the Second Reading of the Bill be deferred till Friday, 12th June, said, he took that step because an important Report of the Judicature Commission, referring to the subject of Tribunals of Commerce, had only yesterday been published, and there had been no time for its consideration by the Chambers of Commerce in the country. Moreover, an Appendix to the same Report had not yet been printed. He trusted that Government, after giving the matter full consideration, would feel warranted in carrying out the reform which the proposals of the Commission foreshadowed.

MR. ASSHETON CROSS said, he thought the course pursued by the hon.

Member was very proper. He wished to explain that the Appendix alluded to was not at present in such a state that it could be presented to the House; it would, however, be published the moment it was ready. Meanwhile, it had been thought desirable to print the Report separately in order that no time might be lost in placing the House in possession of it. He would take care that it received that consideration which the opinions of so important a Commission deserved.

*Motion agreed to.*

*Second Reading deferred till Friday, 12th June.*

REVENUE OFFICERS' DISABILITIES  
BILL—[BILL 15.]

(*Mr. Monk, Mr. Russell Gurney.*)

## SECOND READING.

*Order for Second Reading read.*

MR. MONK, in moving that the Bill be now read a second time, said, that those hon. Members who sat in the last Parliament would remember that that was not a new subject; for this question had been several times under the notice of the House. When the Reform Bill of 1867 was passing through Committee, the then Member for Buckingham (Sir Harry Verney) proposed the insertion of a clause, to enable officers connected with the Revenue Departments to exercise the franchise in the same way as other citizens; but as both the present and the late Prime Minister expressed an opinion that further consideration of the subject was desirable, and as the House was impatient to send the Bill up to "another place," the Motion of the hon. Baronet was negatived, and nothing further was then done in the matter. The following year, in conjunction with Sir Harry Verney and Mr. Otway, he (Mr. Monk) brought in a Bill to remove from the officers of the three Revenue Departments—namely, the Inland Revenue, the Customs, and the Post Office—certain restrictions which had been placed on them with regard to elections by an Act passed at the instance of the Rockingham Ministry in 1782. At that time the influence of those officers in certain boroughs was so great that, according to a statement of the Marquess of Rockingham, they were able to command a majority in no less than



70 boroughs, and could thus directly influence 140 votes in this House. That state of things was entirely changed long before 1867 by the increase of voters under the first Reform Act. The Bill he introduced in 1868 met at first with considerable opposition, and among its opponents was the present Prime Minister, but so strong was the expression of opinion in that House in favour of restoring the franchise to the revenue officers that the right hon. Gentleman withdrew all opposition on the part of the Government to the measure, and when it reached the House of Lords it received the hearty support of the present Lord Chancellor, who exposed the weakness and sophistry of the arguments which had been advanced against it by the gentlemen at the head of the Inland Revenue and the Customs. It was passed in that House without any opposition, and through its operation the Revenue Officers had been enfranchised; but those employed in the Customs and Post Office were still debarred, under very severe penalties, from canvassing, or otherwise interfering in elections. With regard to the present measure also, he understood there had been unfavourable opinions addressed to Government by the heads of the same Departments. It had been held by Sir William Stephenson that although the measure of 1868 repealed the provisions of the Act of 1782, yet there were other old Acts under which penalties for canvassing at elections might still be inflicted on officers of the Inland Revenue. In that opinion he could not agree; but he had introduced a clause in the present Bill which would place the matter beyond any doubt. Two years ago, when he proposed to move for a Select Committee to inquire into the political status of the revenue officers, it was suggested to him by the right hon. Gentleman then at the head of the Government, that he should, by means of a Question in that House, first elicit the opinion of the Attorney General on the subject. He acted on this suggestion, and from the answer of Lord Coleridge (the then Attorney General) it appeared that only two of the three Revenue Departments—namely, the Post Office and the Customs—were under any restrictions with regard to elections. The Attorney General said—

“ With regard to the Inland Revenue officers, he believed they might now vote, and also inter-

fere in elections by canvassing, because the statute which prevented them from so doing had been repealed.”—[3 *Hansard*, ccx. 886.]

There appeared to be no disposition to allow the disability to continue in the case of the Post Office *employés*, and the question to be considered was, practically, whether the officers of the Customs alone were to be forced to remain under a galling restriction while all other Departments were free? He could not conceive that the new House of Commons would permit such an injustice. One of the chief arguments which were urged against the Bill which he (Mr. Monk) brought forward in 1869, and against the Motion for inquiry in the following year by the late Prime Minister, was that if the officers of these Departments were allowed to attend election meetings, or to canvass for a Parliamentary candidate, there would be political disquietude in these Departments—that officers of these Departments would help to get a candidate returned to Parliament with the view of obtaining promotion for themselves. But that argument applied equally to the Home Office, the Admiralty, and the other Departments where the disabilities which this Bill would remove did not exist, and a conclusive answer to it existed in the fact, that since the introduction of the system of competitive examination no appointment in any of the Revenue Departments could be obtained through the influence of any Member of the House. He contended that the whole of the men employed in the Departments of the public Revenue ought to be completely enfranchised, and that that was simply the object of this Bill. No doubt, the Government could, if it thought fit, defeat the second reading; but he felt perfectly satisfied that sooner or later this measure, or one of a similar nature, would be sanctioned by the Legislature. The law now was that Civil Servants generally were absolutely politically free, with the exception of the Customs and the Post Office, and he considered that all the men employed in the Government Departments ought to be placed under the same law. He should be perfectly ready to assent to the Bill going before a Select Committee if it should be thought necessary; but he implored the Government to give their support to the second reading, so that all the Departments under the Government might be placed upon the same

*Mr. Monk*

footing. The hon. Gentleman concluded by moving the second reading of the Bill.

Motion made and Question proposed, "That the Bill be now read a second time."—(*Mr. Monk.*)

THE CHANCELLOR OF THE EXCHEQUER said, he would admit at once that that was a question which required very careful consideration, and that the Government should also take into consideration the experience which had been gained since the passing of the measure which was introduced by the hon. Member some few years ago, for removing from public officers the disabilities under which they formerly lay in reference to voting at elections. At the same time, he would point out that the question was one of a very serious and important character, and not to be treated as simply a question whether they should remove from certain officers disabilities which were likely to be annoying and offensive to them. It required careful consideration whether they should extend to Revenue officers, not the right of voting simply—for that they gained some years ago—but the right of taking an active part, in canvassing, and at election meetings. It was also a question whether taking off the disability would be to do the officers a service or a disservice. It should be considered how far the disabilities operated to protect the officers in the performance of their somewhat delicate duties. He gladly bore testimony to the honourable character of the officers in the Civil Service generally, and to the great courage, fidelity, and honesty with which they performed their sometimes unpleasant and onerous functions, but he thought that that high character should be guarded in every possible way. The public had at present confidence in their servants, but it should be considered whether their position might not be altered for the worse by their being turned into political partizans. The Excise officers, for instance, were employed in assessing the amount of duty which should be paid by persons engaged in various trades, and this duty naturally brought them into collision with such persons. If the officers were turned into political partizans, would not imputations as to their impartiality be cast upon them?

Mr. MONK observed that the disabilities did not apply to the officers of Inland Revenue, but only to the officers of the Customs and the Post Office.

THE CHANCELLOR OF THE EXCHEQUER said, if that were so the case was somewhat altered.

Mr. MONK said, he had already referred to the opinion of Chief Justice Coleridge that the Bill was not required in reference to the Inland Revenue Department.

THE CHANCELLOR OF THE EXCHEQUER: At all events the Commissioners of Inland Revenue were, on the 13th of this month, of opinion, according to their Report, that the gentlemen in their department were under this disability, because they said that they thought it unnecessary to repeat the statements in their former Report, of the danger which they apprehended from the removal of the disability; for such things must occur readily to anybody. Suppose, for instance, an officer who was a political partizan were accused of showing undue favour, or of acting with undue severity, to one person or the other. The House, moreover, should be in full possession of the present opinions of the officers of Inland Revenue and Customs as to the expediency of allowing officers employed in the Customs Department to take an active part in canvassing or to attend political meetings, and therefore it appeared to him that the proper course to take on the present occasion would be to let the second reading of the Bill pass without opposition. In the interval between the second reading and going into Committee, the Government would take the matter fully into their consideration, and would call for further information from the officers of the two great Revenue Departments, and see in what way they had better deal with the subject. The hon. Gentleman was aware that it was easy for an officer of the Customs to give offence in the performance of his duties, or to be accused of giving offence. Frequently his superiors were obliged to remove him from some place where he had got into disagreements, or was supposed to have become so closely allied with certain persons that it was thought better for the interests of the public service that he should be transferred to another place. If such circumstances were attributed to political reasons, a very uncomfortable element would be

introduced into the discipline of the service. The Government felt fully the importance of the subject, but it was of importance in reference to the interests of the public and in reference also to the interests of the officers themselves. He would take care that the Reports should be placed in the hands of the hon. Gentleman, and Government would, when the Bill got into Committee, approach the consideration of it without prejudice.

MR. NORWOOD supported the Bill. It applied to the *employés* in the Customs and the Post Office, and he could not conceive why the law should be different as regarded them and those employed in other Government Departments. He had no doubt that Customs' officers and Post Office clerks at present took an active part at the elections, but they did so clandestinely. That was most objectionable, and it was far better they should have a public platform on which to declare their opinions.

MR. FORSYTH said, he was glad the Government did not intend to oppose this Bill, for which he should vote. It was an anomalous thing that while the officers of the Excise could canvass and take an active part at elections, the officers of the Customs and the Post Office clerks could not do so. The Bill proposed to do away with that disability, and he most cordially supported it.

MR. CHILDERS hoped the House would assent to the very wise course proposed by the Chancellor of the Exchequer—namely, that before dealing with the Bill in Committee, there should be an enquiry as to those who were, and those who were not, subject to disabilities, and also whether or not the interests of the public service required that these disabilities should be continued. At the same time, he wished the House to understand that the position of public servants was not so very simple with respect to elections as might seem at first sight to the advocates of this Bill. The Government possessed, in addition to the power of reprimanding, degrading or dismissing, very large powers with regard to the transfer of public servants from one part of the country to another, and it was most important that the Government should not be liable to the imputation of making such transfers for some political motive connected with elections. For instance, there might be

a clique of revenue or other public officers in a particular town or district, of one party, and if they were allowed to actively interfere at elections, great pressure might be put on the Government of the day to break up the combination by transferring them to different places. It would be very difficult to object to the action of the Government, who must be allowed full powers as to the places where officers were stationed; yet there would be perpetual suspicions of party motives, and the public service would seriously suffer.

MR. WHEELHOUSE supported the Bill. He was extremely glad Government had determined not to oppose it, but leave it to a Select Committee to decide if it was conducive to the public interest. He hoped the Select Committee would have power to inquire into everything which affected the present status of the Civil servants of the Crown.

DR. CAMERON wished to point out that the present restrictions of the law as to solicitations for votes by officers in the Customs and Post Office were disregarded, for deputations had waited upon him with a view of having their salaries increased.

MR. O'SHAUGHNESSY considered that the Civil servants had a right to express their opinions on all subjects, and he should give them an opportunity of legally doing so.

MR. SPENCER WALPOLE said, with reference to the observation of the hon. and learned Member for Leeds (Mr. Wheelhouse), he did not understand that the Bill would be referred to a Select Committee; but that the Government would make a statement on it upon going into a Committee of the Whole House.

*Motion agreed to.*

Bill read a second time, and committed for Friday 8th May.

#### JURIES BILL—[BILL 18.]

(*Mr. Lopes, Mr. Gregory, Mr. Goldney.*)

#### SECOND READING.

Order for Second Reading read.

MR. LOPES, in moving that the Bill be now read the second time, said, the evils he proposed to remedy had been long admitted and frequently recognized by Parliament. He proposed to remedy

*The Chancellor of the Exchequer*

them by no new-fangled scheme of his own, because the prominent feature of the Bill had been before Parliament and had been sanctioned by them. It was in many respects the Bill of 1872, which was introduced by the late Government, and he claimed for himself no undue merit for bringing the Bill forward beyond what was due to one who long recognized the defects of the present system, and who had persistently agitated in Parliament for its amendment. Much credit was due to Mr. Erle, the Associate of the Common Pleas—a gentleman who had brought his great knowledge of the subject to bear upon the preparation of the measure. He considered that a London juryman was the worst used animal within the bills of mortality. He was often fined without any opportunity of explanation; he was kept waiting in a badly-ventilated Court, or in its precincts; his time was disregarded, and he was called upon to decide difficult questions, and to solve complicated questions of fact which subtle and astute counsel were employed to confuse and mystify. Both Select Committees and Commissions had recommended an amendment of the law, and accordingly an Act was passed in 1870, but it was merely fragmentary, and although it contained some good clauses, yet some—those in reference to the payment of juries—had to be repealed in 1871, being found unworkable. In February, 1872, he moved a Resolution to the effect that “the law relating to Juries ought to be dealt with as a whole in a Bill to be brought in by the Government at the earliest possible period.” That Resolution was unanimously adopted by the House, and in consequence the then Attorney General brought in a Bill upon which this present measure was founded. He thought he had fully established the proposition, that the existing evil was an admitted one, and that it had been over and over again acknowledged in that House; and in introducing the present Bill he was not seeking to abolish or discountenance trial by jury, but merely to improve the details of the existing system, and to secure a just and uniform incidence of jury service on all persons qualified to serve. In the first place, it was proposed to increase the area from which jurors were taken by creating some new qualifications. For instance, lodgers would

be qualified to serve both on common and special juries, and on the latter class of juries the managers and directors of certain companies would also be liable to serve. At present, persons above the age of 60 were absolutely exempt, whereas the Bill provided that no one should be absolutely exempt until he had attained the age of 70, although any person might, if he thought fit, claim exemption at the age of 65. It seemed to him that there were a great number of persons between the ages of 60 and 70 who were not only competent to serve upon juries, but who could afford most valuable assistance, on account of their experience and business habits. There was, however, a provision that persons suffering from sickness or infirmity might be excused at any time. In the Government Bill of last Session it was proposed to increase the qualification of common jurors; but he proposed to retain the old qualification, which was prescribed by the Act of George IV. However, he intended to increase the rating qualification of special jurors. Formerly the only qualification was a social one, as no one could serve on a special jury who was not a merchant, banker, esquire, or person of higher degree. A rating qualification was substituted for that by the Act of 1870. If it were possible, he should like to go back to the old qualification, but it would be very difficult to do so, though he might state that since the introduction of the rating qualification the character of special juries had very much changed. He had always contended that the imperfect and inaccurate compilation of the jury lists lay at the root of the unfair incidence of jury service. This could be proved by the evidence given by several witnesses before the Select Committee of 1867-8. Hitherto the overseers had received no remuneration for the work they were called upon to perform, and doubtless this had much to do with the perfunctory way in which they discharged their duties. Accordingly he proposed by his Bill that the overseers should be properly paid for the duty they had to discharge. The expense would not, however, be cast upon the rates, and he mentioned that the late Government had admitted the payment ought to be made out of national funds. Again, the present mode of summoning jurors was far from satisfactory,



and accordingly the Bill provided that all jury summonses should pass through the post, so that as the summoning officer and the jurymen would no longer be brought in contact with each other, corrupt practices would henceforth become impossible. Another proposal embodied in the Bill was that in civil cases the number of jurymen might under certain circumstances be reduced to seven. The late Government in their Bill of last year proposed compulsorily to reduce the number of jurors from 12 to 7 in all cases except trials for murder. His proposal was that there should be 12 jurymen, as heretofore, in all criminal cases, and he did not compulsorily reduce the mystical number in civil cases. *Prima facie*, every civil case would be tried by a jury of seven, but either party would be able, on giving formal notice, to have it tried by a jury of 12. He considered that the effect of that reduction would be that a considerable majority of cases would be tried by a jury of seven, which fact in itself would give relief to the large body of jurymen. It was also proposed that the verdict should be unanimous, and, indeed, the fact that the number of jurymen might be reduced enhanced the necessity of unanimity. The Bill likewise dealt with the question of payment. At present a special jurymen was entitled to a guinea for every case he heard, and even the jurors in the great Tichborne case were legally entitled to only one guinea each for their services during that long protracted trial. A common jurymen was entitled to 8*d.* for each case, and this was certainly a very inadequate amount. Under this Bill it was proposed that special jurymen should continue to be paid one guinea, and that common jurors should receive 5*s.* for each case. Another alteration consisted in the assimilation of the qualification for jurors in boroughs and cities of counties with the qualification now required in the counties by which they were surrounded. A minor provision in the Bill was to the effect that trials were to be continued in the event of the number of jurors being reduced by illness or death. If in the Tichborne case a juror had happened to die, the whole of the proceedings must have been commenced *de novo*, and this would have been neither more nor less than a national misfortune. His proposal was, that the Judge should have

the power in case of death or illness to order a case to go on with a reduced number of jurymen provided the reduction did not go beyond a certain extent. It was proposed that a jury of 12 should not be reduced below nine, nor a jury of seven below five. By leave of the Judge, a special jury might be summoned to try criminal cases; and the Judge would also be empowered by the Bill to release jurors in criminal trials during the adjournments, instead of having them locked up during the whole of the night. One merit of his measure, he ventured to think, was that it embodied a complete digest of the law on the subject of juries. The Government, he had reason to believe, were not opposed to the Bill, and he hoped that at a subsequent stage of its career, they would not be disinclined to proceed with it as a Government measure. The hon. and learned Gentleman concluded by moving the second reading of the Bill.

MR. YOUNG thought the hon. and learned Member for Frome (Mr. Lopes), deserved great thanks for having taken up the subject. Under ordinary circumstances the Government should have the charge of a Bill of this kind, but Governments had already tried their hand and failed. He should support the Bill, but at the same time he considered that the unanimity clause was capable of amendment, and also the clause with regard to the number of a jury. Without destroying the confidence of the public in juries, he believed that the number of jurors in civil cases might be reduced with advantage. The hon. and learned Member proposed that the number should be seven, but he (Mr. Young) doubted whether the hon. and learned Member went far enough. In his opinion, it would be better to have only four. With the smaller number, the individuality and responsibility of each juror would be greater; and he was able to say from his own experience in New South Wales, that the system of trying civil causes with four jurors had worked very successfully; as had also the plan of allowing three-fourths of the jury to give a verdict after all the members of the jury had deliberated together for a certain number of hours, and he should, therefore, take the opportunity of moving in Committee a non-unanimity clause, to the effect that after a certain number of hours' deliberation the verdict of three-

*Mr. Lopes*



fourths of the jury might be taken in civil cases. As for unanimity, there was practically no such thing, and verdicts were arrived at by compromise; and who could expect that it should be otherwise? It was our daily experience that people disagreed, and why should we expect them to be more unanimous in a jury room than elsewhere?

MR. GREGORY congratulated his hon. and learned Friend on the favourable reception which the Bill had met with from the House. He admitted there was no magic in the number 12, but what they had to consider in legislating upon this subject was a regard to what had happened in the past, and the state of public feeling, and, to a certain extent, public prejudice. With reference to the number, it was a considerable alteration to propose that it should be reduced to seven, and it would be hardly wise to carry the reduction further. For his own part, he believed the latter would be a convenient number, and that by its adoption they would materially reduce the number to be called upon the jury list. With regard to the question of unanimity, it was a very anomalous thing that one jurymen should be able to force terms on the rest, and, as it were, to compel them to split the difference, and therefore, if in Committee the hon. Member for Helston (Mr. Young) would propose some modification of the present system, he would be inclined, not only to consider, but to entertain it, especially if directed to the prevention of one individual jurymen enforcing terms on the rest. His principal reason, however, for addressing the House, was to urge the Government either to take up the Bill, or to afford facilities for its discussion.

MR. WATKIN WILLIAMS also congratulated the hon. and learned Member who had brought in the Bill on its main features, but said, there were one or two points on which he wished to make a few observations. The recent change of the qualification for special jurors had caused a marked deterioration in special jurors, as had been remarked by all who regularly attended the Courts. Again, after full consideration, and hearing all that was to be said in favour of the proposal, he thought it would be a great mistake to reduce the number of jurymen from 12 to seven. Trial by jury in this country had been a most successful institution,

and when that was the case, it would be very dangerous to meddle with it, for we could not ascertain to what particular circumstances its success had been owing. Besides, if you had 12 men in a jury box, the chances were that some two or three of them would have a special knowledge of the subject, and, if they were men of sense, would be able to guide the remainder of the jury to a right conclusion. If you reduced the number, there would be no security that you would have any men with special knowledge on the jury. He was glad his hon. and learned Friend adhered to the principle of unanimity, which a large majority of the most experienced Judges were in favour of maintaining. There was one defect, however, in our present system which he should wish to see dealt with in the Bill, and that was the failure of justice which might arise, especially in the case of a protracted trial such as had recently been held, from the death or serious illness of one of the jurymen, for it was really remarkable that the present condition of the law had not been productive of more evils than it had. He would also suggest that some accommodation should be provided for persons summoned as jurymen. At present, nothing whatever was done for their accommodation, and no remedy was proposed in the Bill.

SIR EARDLEY WILMOT said, he hoped that Her Majesty's Government would take charge of the Bill, and endeavour to pass it this Session. They had heard in recent years the noble institution of trial by jury assailed. He could only say, after many years experience, having often presided at both civil and criminal trials, he had been struck with the intelligence and the care which juries brought to the exercise of their duties, and he had derived much assistance from them. Although he entertained an old-fashioned predilection for the time-honoured number of 12 jurymen, he was disposed to acquiesce in the reduction of the number to seven; but he had heard with the greatest satisfaction that his hon. and learned Friend did not propose to interfere with the principle of unanimity. If unanimity were not insisted upon, the result would be that in capital cases there would be an uneasy feeling in the public mind that the minority in favour of acquittal were right. He was, therefore,

most desirous that it should be preserved. As regarded the remuneration of jurors, he should like to see a power given to the presiding Judge of extending the remuneration to common jurors in civil cases beyond the 5s. proposed by the Bill, when the trial proved of unusual duration. It was most important in many criminal cases that they should have a class of jurymen of greater intelligence than usual; therefore he cordially approved of the introduction of special jurors, where the difficulties arising from scientific evidence presented themselves. He quite approved of the principle of supplying refreshments to jurymen when it was needed, but he considered that this ought not to be at their own expense.

MR. SERJEANT SIMON said, with regard to the payment of common juries, he saw no reason why, if special jurors were to be paid, common jurors should not be paid also. Indeed, special jurors, from their position in life, were better able to give their time without injury to themselves than small tradesmen, and if they could not be placed on the same footing, he should much prefer seeing their remuneration abolished altogether. He did not approve of some of the qualifications contained in the Bill. He did not approve of a director or manager of a company, as such, being held to be fitted to sit on a jury to try cases, as many of them did not command the confidence of the commercial world, and ought not to be allowed to sit in judgment on the rights and liberties of others. As regarded unanimity, it was idle to talk of there being in general a unanimity of 12 jurymen. In general the case was virtually decided by two or three jurors, whose lead the others followed. He therefore approved of the provision proposed by the Bill for reducing the number of jurors in civil cases to seven.

MR. SCOURFIELD said, he would admit that 12 minds were better than seven, provided all 12 were concentrated on the evidence; but if there was a want of concentration with 12, a smaller number might be better, so far as it secured closer individual attention. He trusted that the question of qualification would be carefully considered, inasmuch as the variation in the value of property in different parts of the country made it a difficulty which no legislation could

entirely grapple with. Exemptions ought also to be most narrowly watched, for every exemption was an imposition of liability upon some other person. He had been informed, for instance, that the City of Westminster was entirely exempt from contributing to a jury of Middlesex, and there did not seem to be any reason why Commissioners of Inland Revenue should be exempted from serving as jurymen, whether they were acting Commissioners or not. The necessity for continuing a trial notwithstanding the illness or death of a jurymen was strongly shown by the Tichborne Case. The preservation of the jury in that case seemed to indicate a perfectly providential interposition. They were entitled to a testimonial for having lived, for never before had we had such an illustration of the value of life. He very much approved the principle of exempting persons of 65 years of age, and upon the whole he very much approved of the Bill, and was thankful to the hon. Member for introducing it.

SIR HENRY JAMES said, he fully concurred in what had been said as to the debt of the House to the hon. and learned Member for introducing the Bill; but was afraid—though it could scarcely have fallen into abler hands—he would have some difficulty in passing it, unless the Government took it up. The necessity of the Bill no one could doubt, for the practical experience of those who came into contact with juries showed that some alteration, particularly in the qualification of special juries, was absolutely necessary. It was advisable that a Bill should be passed as speedily as possible, and therefore he would urge the Attorney General to take charge of this Bill. His hon. and learned Friend would have an easy task, for the hon. and learned Member for Frome had done his work well, and, moreover, the provisions of the Bill had been framed after a careful consideration of facts by a Select Committee, and a Bill like it very nearly passed in the last Parliament, and it was therefore a legacy which the present Government might very well accept. The discussion that was now taking place, however, would not be useless; but would help to smooth and simplify the future course of the measure. The qualification fixed by the Bill was that adopted

by the Act of George IV., and no argument could be stronger in its favour, than that if the juries were qualified then, they certainly would be now. With regard to the liability of directors and managers of companies to serve on London juries, when the clause was drawn in the Bill of last year it was intended that the managing directors of companies should be selected as the representatives of 1,500 companies having offices in the City, which otherwise evaded the liability of occupancy; but to embrace, as the present Bill did, all directors of the companies would bring in, perhaps, 15,000 gentlemen, many of them living at great distances in the country, and discharging their public duties as residents. One change in the Bill raised a question as between local and Imperial taxation. The Bill of last year was stranded upon what appeared to be a very small rock, the payment of overseers out of the local rates; an adverse opinion was expressed against the continuance of that burden, and the Bill had to be withdrawn. Now that it was proposed to transfer the charge to Imperial taxation, the Chancellor of the Exchequer might have something to say; and, on that point, he (Sir Henry James) further thought the present was not an opportune time to raise the question. As regarded the number of the jurymen and the question of unanimity, he was in favour of 12 as the number, and of entire unanimity. As to the objection that we could not get unanimity, the practical answer was, we did get it; we got it in the Tichborne Case, and the number of cases in which juries were discharged because they could not agree was far below 1 per cent. In some cases it was very well they should be discharged, because the evidence was not sufficient to justify them in giving a verdict one way or another. It would be wrong in principle to leave it to the parties to a cause to select the number of a jury; if it were right to have 7, or 12, Parliament ought to say so. In the last Parliament, reasons were given in favour of the number of 12 jurymen, so cogent that the late Attorney General abandoned his proposition; and he trusted that when the Bill went into Committee they would decide to retain the present number. Whether the Bill were in the hands of the Government or those of his hon. and learned Friend, he

would do all he could to assist in the passing of it.

THE ATTORNEY GENERAL said, with regard to the defects complained of in the Act of 1873, they were defects in the practical working rather than in the principle of trial by jury. The present Bill was framed upon conclusions which were come to by the Select Committee of 1872, and at which the House arrived in the last Session of Parliament, when some 54 or 55 clauses of a Bill of 90 or 100 clauses were passed by the House, and therefore it now came before the House with much to recommend it. He would give his cordial support to the second reading, and he thanked the hon. and learned Member for offering to place it in the hands of the Government. He felt very much disposed to accept the offer, seeing the approval which the Bill had received from both sides of the House; and, though he could not do so at once, he would inform the hon. and learned Gentleman before the day fixed for going into Committee of the determination at which the Government should have arrived, after considering more in detail the clauses of the measure. On behalf of the Government he thanked the hon. and learned Member for the care and attention he had bestowed on the Bill, and the manner in which he had brought it forward; and as they desired that it, or a similar Bill, should pass during the Session, if it should not be taken up by the Government, he would give the hon. and learned Member every assistance in his power towards securing its passing.

MR. GOLDNEY advocated the proposal that the Government should take the Bill up, inasmuch as there were many arrangements to be made in the jury system which could be much better carried out by the Government than by a private Member. With reference to the question of local taxation involved, the late Attorney General, now Lord Coleridge, last year assented to the principle of charging the jury list on the Consolidated Fund.

MR. FORSYTH begged to thank his hon. and learned Friend (Mr. Lopes) for making his Bill a complete digest of the Jury Law. Of late years a pernicious practice had grown up of passing Acts which referred to other Acts so that it became necessary to look at those Acts and see what the law really

was, and our Statutes were a practical puzzle of legislation. He (Mr. Forsyth) wished to confine his remarks to the question of the unanimity of juries. His opinion had long been that unanimity ought to be retained in criminal but not in civil cases. One reason for retaining it in criminal cases was, that if the question of guilt was determined by a majority it would be impossible in capital cases to carry out the sentence considering the sensitiveness of the public as regarded capital punishment. And in other cases affecting not life but liberty, if a minority thought that the accused was "not guilty" it would cause an uneasy feeling that the prisoner, though convicted, was innocent. He might illustrate this by the Tichborne trial, where, if the verdict of guilty had been only by a majority, the feeling of the country would, he feared, be very different from what it now actually was as to the guilt of the accused. The origin of the rule as to unanimity was this. Anciently the jury were witnesses who came from the neighbourhood *vicinetum*, hence the word *venue*, and it was in the Anglo-Saxon and Anglo-Norman times thought necessary that 12 witnesses should be agreed as to the disputed fact. In no other country in Europe was unanimity required. Not in Scotland, or France, or Bavaria, or Prussia, or any other part of Germany, even in criminal cases, as to which he (Mr. Forsyth) did not wish to see the rule altered. It was a sham and not a real unanimity that was produced in the jury-box. In every other assembly or meeting to determine civil questions or rights, including the House of Commons, the opinion of the majority prevailed, and he could see no reason why it should not be the same in the jury-box, with certain safe-guards. No one would believe that if we were to legislate *de novo* on the subject, and for the first time to introduce the jury system, we should dream of requiring unanimity in civil cases. We adhere to it simply because it had come down to us from immemorial antiquity. The only objection to the change was that juries might come to hasty conclusions and not take sufficient time to deliberate. But what he (Mr. Forsyth) would propose was, that in civil cases a verdict should be given whenever there was a majority of nine to three; but that in such cases the

*Mr. Forsyth*

verdict should not be taken until the jury had been in consultation for four or five hours. He believed that this would ensure due deliberation and get rid of all difficulty.

MR. RUSSELL GURNEY said, that the plan which the hon. and learned Member for Marylebone proposed had been recommended 40 years ago by a Royal Commission composed of the most experienced lawyers of that day. One reason for accepting the verdict of a majority in a civil cause after a jury had been three or four hours in consultation was, that a new trial could be granted, and the dissidence of a minority would be an additional reason for granting it. Again and again he had been asked to release juries that could not agree, and when half an hour afterwards a verdict was given it was impossible to suppose that the dissenting jurymen had been convinced. Certainly, 12 jurymen had not the same opportunity for discussion as a lesser number, and the reduction of the number would increase the sense of individual responsibility. It was true that with the increased number the chance of having some with special qualifications would be increased; but that would not be an unmixed advantage, as special qualifications would bring with them special prejudices. To insist on keeping up the maximum, moreover, was to increase the burden, and he was afraid that would lead to growing dissatisfaction with the system, and he wished by reducing the burden to improve the working of the system. He thought the clause in the Bill most valuable which, for the first time, introduced as a disqualification the having been convicted of the crimes of treason, felony, or any other infamous offence, or being an uncertificated bankrupt, for it was not an unusual thing to try cases of great commercial importance with one or more uncertificated bankrupts on the jury.

MR. HUDDLESTON said, that he regretted to find that no provision had been made in the Bill for the better accommodation of jurymen, a subject to which he had directed the attention of the Select Committee of 1867-8. In this country they were much to be pitied, because they were worse treated in the English Courts than in any other Courts in Europe. They were crammed into the smallest space possible, and, as



no special accommodation was provided for them, they were continually brought into contact with suitors and witnesses who wished to tell their respective versions of their stories. With respect to the payment of common jurors, he thought, although 5s. might be ample in London, it certainly would not be sufficient in the country, and that he should prefer to see a sum of 7s. a-day to be paid to jurors for attending at the Assizes. The deterioration of special jurors was patent both in Middlesex and on the circuits. They were no longer of the same class they were some years ago. It was said this had arisen from the number of gentlemen claiming exemption as commissioners of income tax; but he was rather disposed to account for it by the abolition of the old distinction of merchants, bankers, and magistrates, and the reduction of the qualification to a mere money standard. On the part of the profession he must thank his hon. and learned Friend for the introduction of this Bill, and as he observed that his hon. and learned Friend had abolished that time-honoured institution, the jury of matrons; and had made no provision in its stead, he (Mr. Huddleston) supposed the onus in cases requiring such an inquiry would range itself among the numerous, and already too onerous and invidious duties of the Home Secretary.

MR. ASSHETON CROSS said, he would also thank his hon. and learned Friend the Member for Frome (Mr. Lopes) for the great trouble and pains he had bestowed on this subject, and the care with which he had drawn the Bill. He must also endorse what had fallen from his hon. and learned Friend the Attorney General, that the Government hoped to see a Bill on this subject—either this Bill, or this Bill altered in certain particulars—passed before the end of the Session. The matter had been under discussion now several years, both in Committee up-stairs and in the House; and it was ripe for legislation. He need hardly say, however, that matters had been introduced into the discussion to-day on which some difference of opinion prevailed. He would undertake, on the part of the Government, that these points should have careful consideration before the Bill was set down for Committee; and if the Government could

not see their way to adopt this Bill, they would, at all events, do their best that some Bill should pass this Session.

*Motion agreed to.*

Bill read a second time, and *committed for Tuesday next.*

# CONJUGAL RIGHTS (SCOTLAND) ACT AMENDMENT BILL—[BILL 45.]

(*Mr. Anderson, Sir Edward Colebrooke, Mr. Orr Ewing, Mr. James Cowan, Mr. Leith, Mr. Yeaman.*)

## SECOND READING.

Order for Second Reading read.

MR. ANDERSON, in moving that the Bill be now read a second time, said: Sir, the House, I am sure, will not be sorry to learn that five minutes will be more than enough to enable me to explain the scope and objects of the Bill. Some explanation is necessary, because its unfortunate title in no way tells its story. It ought to be the "Deserted Wife's Earnings Bill," or the "Married Woman's Property Bill," for it deals with no other subject. The reason it is necessary is, that in 1861 an Act was passed, dealing with divorce and other conjugal rights, in which a few clauses were introduced dealing with the earnings and property of married women deserted by their husbands; but the jurisdiction was confined to the Court of Session, which, being our highest Court, and sitting in Edinburgh, has alone hitherto dealt with such cases. The consequence has been that the Act has, so far as they are concerned, been pretty much a dead letter; and the reason is, that women who are deserted by their husbands belong mostly to the lower classes, and that they are a great deal too poor to be able to go to Edinburgh and apply to the Court of Session for redress. The existence of the Act has accordingly been little else than a tantalizing mockery. Few persons can have lived in Scotland, especially if they have occupied any magisterial capacity, without having brought under their notice many cases of great hardship, in which poor married women, deserted by their husbands, had succeeded in collecting a little property, and were rearing their families respectably—it may be they had succeeded in getting a shop—and who were liable at any time to a visit from a worthless husband, who might come in



and sweep away all the profits. These poor women have good causes of complaint, and I propose to provide them with a means of redress by extending the jurisdiction of the Act to the Sheriff Courts, and enabling them to deal with such cases. With these few observations, I beg to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. Anderson.*)

THE LORD ADVOCATE: I certainly think the principle of this measure is principle. The Act, as originally carried, was tentative, and left it to the Supreme Courts to decide on these cases; but I am quite sensible of this, that the Sheriff Courts will be the proper tribunal before which questions which interest so much the labouring classes ought to be tried, and therefore I give my assent to the principle of the Bill. Indeed, I intended if I got an opportunity—as I hope I still will—of introducing a Bill for the reform of the Sheriff Courts, to incorporate something of the kind which is now proposed; but the principle of the Bill I think is right, and therefore I hope the House will agree to the second reading. There is one clause which I think my hon. Friend should alter. It is Clause 16, which has reference to the fortunes of married women, and power is given to the Court to consider whether the creditors of the husband are not entitled to come in and sweep it away. The question here involved is one of great difficulty and delicacy, and one which in England is peculiarly the province of the Court of Chancery. It is not likely to be raised in cases brought by the poorer classes, and therefore I would suggest that when the Bill gets into Committee the clause in question should be so amended as to exclude such cases from the jurisdiction of the Sheriff Courts.

Motion agreed to.

Bill read a second time, and committed for Tuesday, 12th May.

#### ALLOTMENTS EXTENSION BILL.

On Motion of Sir CHARLES DILKE, Bill to provide for the letting to Cottagers of lands held for the benefit of the Poor, in extension of the Act second William the Fourth, chapter

*Mr. Anderson*

forty-two, ordered to be brought in by Sir CHARLES DILKE, Mr. EDWARD JENKINS, and Mr. BURT.

Bill presented, and read the first time. [Bill 79.]

House adjourned at Four o'clock.

## HOUSE OF LORDS,

Friday, 23rd April, 1874.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Real Property Limitation \* (16); Land Titles and Transfer (40); Real Property Vendors and Purchasers \* (41); Local Government Provisional Orders \* (26).  
*Committee—Report*—Cattle Disease (Ireland) \* (24); Middlesex Sessions \* (22).  
*Third Reading*—Mutiny \*; Marine Mutiny \*, and passed.

#### CHAIRMAN OF COMMITTEES.

Moved that the Viscount Eversley be appointed to take the chair in the Committees of the Whole House in the absence of the Lord Redesdale from illness, unless where it shall have been otherwise directed by the House; agreed to: Then it was ordered that the Viscount Eversley do also take the chair in all Committees upon Private Bills and other matters in the absence of the Lord Redesdale from illness, unless where it shall have been otherwise directed by this House.

#### NEW PEER.

The Right Honourable Sir John Duke Coleridge, Knight, Chief Justice of Her Majesty's Court of Common Pleas, having been created Baron Coleridge of Ottery Saint Mary in the county of Devon—was (in the usual manner) introduced.

#### LANDS TITLES AND TRANSFER BILL.

(*The Lord Chancellor.*)

(NO. 40.) SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR, in moving that the Bill be now read the second time, said, it might be convenient to their Lordships that he should now state the course he would have to take with regard to its further progress. There were certain alterations, more formal than substantial, which required to be made in the Bill; and, therefore, he proposed that their Lordships should go into Committee on it *pro forma* on Monday with a view to its recommitment;

and he would propose to have it considered by a Committee of the Whole House, in the usual way, on Monday week.

Motion *agreed to*; Bill read 2<sup>a</sup> (according to Order) and *committed* to a Committee of the Whole House on *Monday* next.

Then—

REAL PROPERTY LIMITATIONS BILL, (No. 16) AND REAL PROPERTY VENDORS AND PURCHASERS BILL, (No. 41) read 2<sup>a</sup>, and *committed* to a Committee of the Whole House on *Monday* next.

LORD ROMILLY, without wishing to retard the progress of the measures, hoped the Bills relating to Land Transfer would be sent to a Select Committee. He desired to ask his noble and learned Friend whether there were any objections to that course?

THE LORD CHANCELLOR: I do not know, my Lords, whether I am in Order in speaking at this moment in answer to the question of my noble and learned Friend; but as I understand my noble and learned Friend to express a wish that the Bills which have just been read should be referred to a Select Committee, I desire to state to your Lordships the considerations which make me anxious that such a course should not be adopted. Personally, I should be extremely glad on any criticism of these Bills either in Committee or elsewhere, because in point of fact the danger in respect of criticism of Bills of this character is not that there will be too much, but that there will be too little of it. If, however, those Bills are referred to a Select Committee, arrangements must be made to enable my noble and learned Friends who usually sit with me to hear appeals to give their attendance on the Select Committee, and that cannot be done without for some time closing this House to appeals which are now pending. Unfortunately, owing to the period at which the Session itself began, the judicial business of this House was commenced six weeks later than the usual time, and consequently we have not advanced as far in the appeal list as we could have desired. I therefore deprecate any further subtraction from the time that may remain in order that those Members of the House who attend to hear appeals should be present on the

Select Committee. Again, we are not at this moment burdened with any great amount of business in the afternoon, and I do not know of any more convenient period when your Lordships can give your time to the consideration of these Bills than two or three hours in the evening. For myself, and I think for some of my noble Friends, it is the most convenient period of the day for such a purpose. I think, my Lords, the consideration of those Bills can proceed quite as satisfactorily in a Committee of the Whole House as it could in a Select Committee.

LORD SELBORNE: I quite concur with what has just been said by my noble and learned Friend on the Wool-sack. I would say further, my Lords, that I have observed with regret the tendency in this House to refer Bills to Select Committees. Among other objections which may be urged to this course is, that it may lead the outside world to suppose that your Lordships' House has less business to do than it really has, and gives less time to business than is really the case. When your Lordships go through the clauses of such Bill as these in the House itself, at least the public will know what you are doing. In Committee of the Whole House we shall have the advantage of the attendance not only of the Law Lords, but of, I hope, many other of your Lordships, and I think the business will be as well or better done.

LORD O'HAGAN: My Lords, I desire to make some observations on the Land Bills of my noble and learned Friend, especially with reference to the experience of the working of Land Bills elsewhere. I think, however, that these measures ought to be gone through here, and not in a Select Committee. The general subject has been so long and so largely considered that I do not think there is any occasion for another Select Committee.

EARL GRANVILLE: My Lords, I have enjoyed much satisfaction in hearing expressed so much better than I could have expressed them, objections which I have long felt and sometimes endeavoured to urge against sending Bills to Select Committees.

## POOR IN LONDON.

## MOTION FOR PAPERS.

LORD NAPIER AND ETTRICK, in moving an Address for—

“Copy of memorial on the Improvement of the Dwellings of the Poor in London from the Royal College of Physicians to the First Lord of the Treasury :

“Copies of memorials on the Improvement of the Dwellings of the Poor in London to the Secretary of State for the Home Department from the Council of the Charity Organization Society, and from a Committee of members of both Houses of Parliament, and of representatives of societies, trustees, and others interested in improving such dwellings.”

said, that if his Motion should be agreed to, he would call the attention of the House to the subject of the memorials when the Papers were in the hands of their Lordships. He might mention that there were only two Memorials altogether.

THE DUKE OF RICHMOND said, there was no objection to the Papers asked for by the noble Lord.

*Motion agreed to.*

House adjourned at half-past Five  
o'clock, 'till To-morrow,  
Half past Ten o'clock.

## HOUSE OF COMMONS,

*Thursday, 23rd April, 1874.*

MINUTES.]—WAYS AND MEANS—*considered in Committee—Resolutions* [April 16] *reported.*

PUBLIC BILLS—*Ordered—First Reading—*Registration of Births and Deaths \* [80]; Locomotives on Roads \* [81].

*Third Reading—*Harbour Dues (Isle of Man) \* [65], and *passed.*

## ARMY—LANDGUARD FORT.

## QUESTION.

COLONEL JERVIS asked the Secretary of State for War, Whether it be true that the Royal Artillery stationed at Ipswich are unable to carry on artillery practice, as heretofore, at Landguard, owing to the objection of the Lord of the Manor of the district; and, in consequence, have to march to Lowestoft to carry on the said practice, at a considerable increase of expense to the public; whether it is true that a toll

is levied by the said Lord of the Manor upon all material landed for the works which are now being carried on at Landguard Fort; whether such toll is arbitrary at the option of the said Lord of the Manor, no such toll ever having been claimed until lately, when it was fixed at 6*d.* per ton, since raised to 1*s.* per ton, often amounting in the aggregate to £40 a month; whether such toll is not equally applicable to the landing of guns, shot, shell, gunpowder, and other materials of war for the defence of the said fort; whether it be true that a pier erected at the cost of some £800, for the purpose of landing certain iron shields for the fort, has to be pulled down as soon as that work is completed, in consequence of objections of the said Lord of the Manor, thus leaving no facilities for landing war material for the future for the fort, excepting over an ever-shifting shingle; whether it be true that the War Office has been prohibited by the said Lord of the Manor from erecting or repairing certain groynes, by means of which alone the outworks of the said fort have for years been saved from being undermined and washed into the sea; and, whether, if these be facts, and assuming that the said Lord of the Manor has been simply exercising his legal rights, the War Office will at once come to some arrangement by which a stop may be put to a state of things so injurious to the public interest?

MR. GATHORNE HARDY: The prohibition by the Lord of the Manor of practice at Landguard makes arrangements for carrying out artillery practice in future at Lowestoft necessary. A jetty was erected at a cost of £909 by the War Department in 1871-2 for landing iron shields and other materials. Colonel Tomline, the Lord of the Manor, claimed the foreshore on which it stands, and was successful in the Court of Chancery in maintaining his claim. He then charged a royalty of 6*d.* per ton, with a threat of cutting down the pier if it were not paid. On November 19, 1873, his agent gave notice that from January 1, 1874, 1*s.* per ton would be charged. There was no alternative but to pay these demands. The tolls average £32 per month. These tolls would be applicable to guns and other materials of war. No steps will be taken to remove the pier, as negotiations have been and are in progress

with a view to a settlement of disputed points between the War Department and Colonel Tomline. Groynes have been maintained by the War Department since at least 1732; but since the decision of the Court of Chancery that the Bent Hills, in the rear of the groynes, and in another case the foreshore on which they stand, are the property of Colonel Tomline, it is not proposed to construct more until some definite understanding has been arrived at. The War Department are in communication with Colonel Tomline, and are most desirous to come to a settlement with him on the points in dispute.

IRELAND—TRINITY COLLEGE,  
DUBLIN.—QUESTION.

MR. BUTT asked the Secretary of State for the Home Department, Whether any application has been made by the Board or Fellows of Trinity College, Dublin, for a Queen's Letter, altering essentially the Statutes of the College; and, whether before the issue of any Queen's Letter, an opportunity will be given to the Senate of the University, or to this House, of expressing an opinion upon the proposed alterations?

MR. ASSHETON CROSS, in reply, said, that as far as he was able to learn, no application of the kind had been made up to the present moment. No such application had been made either to the Home Office or to the Irish Office in London, and if such application were made the Government would think it right that the House should have an opportunity of considering the matter.

FINANCE OF INDIA—BORROWING  
POWERS.—QUESTION.

SIR CHARLES MILLS asked the Under Secretary of State for India, If all the borrowing powers of the Secretary of State for India under previous Acts of Parliament have been exhausted; and, if they have not, if he will state what is the amount which still remains?

LORD GEORGE HAMILTON, in reply, said, that the borrowing powers of the Secretary of State under all Acts previous to the Loan Act of the present Session had been exhausted, with the single exception of the power contained in the Loan Act of last Session, by which he was enabled to borrow temporarily a sum not exceeding £2,000,000.

CONTAGIOUS DISEASES (ANIMALS)  
ACTS—LEGISLATION.—QUESTION.

MR. J. BARCLAY asked the Vice President of the Council, Whether the Government intend to bring in a Bill to carry into effect the recommendations of the Committee of last Session for amendment of the Contagious Diseases (Animals) Acts?

VISCOUNT SANDON: Considering the complicated character of this Question, the conflicting evidence respecting it, and the great and varied interests involved, Her Majesty's Government are not prepared, at any rate this year, to bring in a Bill on the subject. The proceedings of the Committee of last year, upon which the hon. Member bestowed so much labour, are a very valuable contribution to the consideration of the Question. The Lord President is giving the whole matter his most serious attention; but until the Government sees its way to a satisfactory mode of handling it, we do not think it right to engage to bring in a measure.

LICENSING ACT, 1872.—QUESTION.

MR. JOHN TALBOT asked the Secretary of State for the Home Department, Whether he has any objection to lay upon the Table of the House any Reports which have been received at the Home Office from Chief Constables or other police authorities as to the working of the Licensing Act, 1872?

MR. ASSHETON CROSS, in reply, said, he had received communications from various authorities throughout the country with reference to this Act. Part of those communications were of a confidential character, and he did not think it would be right to lay them before the House. But if the hon. Member would do him the favour of calling upon him at the Home Office, he would have the pleasure of showing him such communications as were not of that character.

THE ASHANTEE WAR—CAPTAIN  
GLOVER.—QUESTION.

MR. KNATCHBULL - HUGESSEN asked the First Lord of the Treasury, Whether it is the intention of Her Majesty's Government to recommend that any mark of distinction be conferred upon Captain Glover in consideration of



his services in connection with the Ashantee War?

MR. DISRAELI, in reply, said, Her Majesty's Government had recommended that a mark of distinction should be conferred upon Captain Glover in consideration of his services in the Ashantee War.

COMMITTEE ON PUBLIC ACCOUNTS—  
REPORTS OF THE AUDITOR GENERAL.  
QUESTION.

MR. DILLWYN asked Mr. Chancellor of the Exchequer, What course is adopted by the Treasury in cases in which the Auditor General is unable to certify to the correctness of payments charged in the Appropriation Account?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, it was the duty of the Auditor General to make a Report as to any part of the public expenditure in which there had been any irregularity. Those Reports were presented to the House of Commons and were referred to the Committee on Public Accounts. That Committee took evidence and reported their conclusions to the House, and, as a general rule, the Treasury were guided by the opinions of the Committee.

WAYS AND MEANS—LOCAL TAXATION  
—LUNATICS.—QUESTION.

MR. LEITH asked Mr. Chancellor of the Exchequer, Whether the proposal of the Chancellor of the Exchequer to make a contribution from the Consolidated Fund towards the maintenance of lunatics will apply to Scotland; and, if so, whether it is to apply to lunatics confined in "the fatuous wards" of the poor houses as well as to those confined in lunatic asylums?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, his noble Friend (the Earl of Dalkeith) also had another Question of the same character upon the Paper. He could only say that the proposal of the Government of course extended to Scotland, as well as to England and Ireland, and in due time it would be their duty to present an estimate to the House. He thought he might only be misleading the public if he were to give an answer now as to the particular cases like that mentioned. The contribution, as a general rule, was intended to be for

those who were maintained at asylum rates, as distinguished from those maintained at poor house rates.

BROADMOOR ASYLUM—CRIMINAL  
LUNATICS.—QUESTION.

MR. WALTER asked the Secretary of State for the Home Department, Whether his attention has been called to the several Reports of the Commissioners in Lunacy, and of the Council of Supervision of Broadmoor Asylum, suggesting the urgent necessity of adopting measures for the better classification of the criminal lunatics in that asylum; and, whether he is prepared to carry into effect all or any of the suggestions contained in those Reports?

MR. ASSHETON CROSS, in reply, said, the Council of Supervision had pointed out the difficulty of dealing adequately in Broadmoor Asylum with two classes of lunatics—namely, those who were convicts under sentence of penal servitude and those who had been acquitted of offences on the ground of insanity. The Inspector of Convict Prisons was induced to think that the former class should be transferred to another asylum. That recommendation he had referred to the officer in charge of this particular department, and as soon as that gentleman sent in his Report he would take some action in the matter.

INDIA—REGISTRATION OF BIRTHS,  
DEATHS, AND MARRIAGES.

QUESTION.

COLONEL MAKINS asked the Under Secretary of State for India, Whether, looking to the great value of the Returns of the late Census in Bengal in reference to the present famine, the Government proposes to introduce into India a system of Registration of Births, Deaths, and Marriages?

LORD GEORGE HAMILTON, in reply, said, that under a recent Act the Lieutenant Governor of Bengal was authorized to adopt such system of registration as he might consider feasible. Some statistics had been collected by way of experiment, and with a certain amount of success. In other parts attempts to collect vital statistics had been unsuccessful.

*Mr. Knatchbull-Hugessen*



**WAYS AND MEANS—THE INCOME TAX  
—APPEALS AGAINST SURCHARGES.**

**QUESTION.**

**MR. ARTHUR MILLS** asked **Mr. Chancellor of the Exchequer**, Whether, in the trial of appeals against surcharges to the Income Tax, some means can be devised by which the present system, which places in the hands of persons engaged in trade the power of investigating into the affairs of their immediate neighbours, may be avoided, and the appeals decided by some public officer unconnected with the locality?

**THE CHANCELLOR OF THE EXCHEQUER**: It seems not to be known so generally as it ought to be that any person who is surcharged under Schedule D may appeal to the Special Commissioners, instead of to the Local Commissioners.

**ARMY—THE ASHANTEE WAR—PAY OF  
OFFICERS ON THE GOLD COAST.**

**QUESTION.**

**MR. SACKVILLE** asked the Secretary of State for War, Whether it is the fact that Officers who served with their regiments during the late operations on the Gold Coast are only to be allowed climate pay of 3*s.* a day, while Special Service Officers have received extra pay at the rate of £1 1*s.* a day; and, if so, if he would explain to the House what is the reason for the great difference of allowances to the two classes; whether Officers serving on the West Coast of Africa have not usually received extra pay and allowances amounting to 8*s.* 6*d.* a day; and, if he will lay upon the Table any Correspondence that may have passed on the subject, either between Sir Garnet Wolseley and the War Office or between Sir Garnet Wolseley and the Officers under his command?

**MR. GATHORNE HARDY**: One guinea a day was given as a consolidated rate in lieu of all allowances to Special Service officers, and field-officers received hammock pay in addition. Regimental officers already on the Gold Coast received a uniform rate of climate pay at 3*s.* a day, plus their local allowances, which varied according to their rank. The regimental officers who were sent from England with the expedition

were only to be entitled to the same climate pay and allowances as regimental officers already on the Coast. A difference has always been recognized between staff and regimental pay and allowances. I must decline to lay the Correspondence on the Table.

**PUBLIC HEALTH (SCOTLAND) ACT—  
THE COUNTY POLICE.—QUESTION.**

**SIR WINDHAM ANSTRUTHER** asked the Secretary of State for the Home Department, If he has considered the amended Rules and Regulations for the government of County Constables issued from the Home Office by the late Secretary of State for that Department; and if he is now prepared to cancel the same, so as to enable the police to aid the authorities and officers in counties acting in the execution of the Public Health (Scotland) Act.

**MR. ASSHETON CROSS**, in reply, said, he stated the other day that, with regard to the burghs in Scotland, he was prepared to alter the order issued by the Home Office respecting the appointment of the police as Inspectors of Nuisances in boroughs. With regard to counties that would be a somewhat different thing, because there the police boundaries and the sanitary boundaries were not identical. He thought, however, he could meet the case by altering the order issued in December last on the application of both the police and the sanitary authority to the Secretary of State.

**WAYS AND MEANS—THE DUTY ON  
REFINED SUGAR.—QUESTION.**

In reply to **Mr. SAMUDA**,

**THE CHANCELLOR OF THE EXCHEQUER** said: After the fullest consideration I have been able to give to the subject, I do not see in what way I can meet the wishes of those sugar refiners whom my hon. Friend represents. If we postpone further the abolition of the duty on refined sugar we shall necessarily inflict a loss on a considerable number of persons who have made arrangements in the expectation that the duty is to come off on the 21st of May. With regard to making a distinction between loaf and crystallized sugar, it is impossible to do so, in consequence of our treaties with foreign countries; and with respect to other means of compen-

sating gentlemen for loss there is none, unless the Treasury repay them for stocks in hand, and that would be far too serious an operation to undertake.

#### WAYS AND MEANS.

Resolutions [April 16] reported, and read the first time.

On Question, "That the Resolutions be read a second time."

MR. GLADSTONE: The Motion, Sir, that you have just announced from the Chair is, I apprehend, the first practical step which the House will be called upon to take for the purpose of giving effect to the financial plans of the Government, the assent which it gave to certain Resolutions in the Committee on a former evening having been, as it were, only a formal step taken for practical purposes, and without reference to the subsequent course that Parliament may think fit to pursue. I, therefore, apprehend that this forms a suitable and convenient occasion for offering any general remarks on the financial proposals of Her Majesty's Government and of my right hon. Friend the Chancellor of the Exchequer. As it was my fate to be his immediate predecessor in the office he now worthily fills, perhaps the House will not think it strange that I should choose this opportunity for offering to it a few remarks. I have the satisfaction to say I do not rise for the purpose of entering on a general course of hostile criticisms of the proposals of the Chancellor of the Exchequer. Still less do I rise for the purpose of placing in contrast or comparison with them any other proposals. The plans entertained by the late Government and by myself have been completely disposed of by the verdict, if not of the nation in every sense, yet of the constituencies at the recent General Election. I therefore feel myself able to approach the consideration of this subject without any prejudices or prepossessions, the influence of which might be largely felt provided there were some other scheme still within the possibility of being adopted, and in which I felt a nearer and a more affectionate interest than in that of my right hon. Friend. Again, if I look at the Amendments which have been placed on the Notice Paper, there is not one of those Amendments which I am disposed to support in contradistinction to the

schemes of the Government on the point to which it relates. Some of them may assert principles which are in certain respects sound, and have claims on the attention of the House; but when they are considered as practical proposals, I am not aware that any one among them makes it my duty to give a vote adverse to the scheme which has been put before us with the authority of the advisers of the Crown. It will naturally occur to the mind of the House that the subject of the finance of the year must on every occasion fall into three main divisions. There are, first of all, the Estimates, which have been submitted to the House by Her Majesty's Government, of the probable Revenue of the fiscal year, now recently commenced; then there is the subject of the Estimates of the probable Expenditure of the same financial year; and next there is the comparison resulting from the juxta-position of these two sets of figures, and the proposals which may be submitted by the advisers of the Crown either for making good the deficit—if a deficit there be—or for disposing of the surplus, in the happier alternative which it has been the fortune of the Chancellor of the Exchequer to take up. A good deal has been said here and elsewhere on the subject of certain alterations which have taken place, whether in this year or whether in some recent year, in the mode of making the statements of Revenue which are submitted to the House. I do not think that is a subject into which it is expedient for the House largely or profoundly to enter. In my opinion, the true and only security of Parliament with reference to the Estimates of Revenue on which it is called to proceed is to hold the Executive Government of the day strictly responsible for those Estimates. If we begin to examine what is behind the scenes, and to scrutinize the relations between the Chancellor of the Exchequer and his permanent advisers, either in the Treasury or the Revenue Departments—if we come forward with our own attempts to criticize and rectify the figures which he may have submitted, I believe we may do something to diminish the dignity of our proceedings with reference to finance; but I am persuaded we shall not obtain additional security in any one particular for the public interests. That is the principle on which I shall proceed with reference

*The Chancellor of the Exchequer*

to the Estimates of my right hon. Friend, and not because they precisely correspond—for I do not know whether they do correspond—with those which three months ago I was disposed to form. Indeed, the fact that three months have elapsed since those Estimates were submitted disposes of anything like identity between them and those of my right hon. Friend, because all Estimates of Revenue have to be formed on the latest and freshest information. But I understand the case to be one which, if I am correct, will justify a single general remark. The House has been allowed to perceive that the Estimates have been framed in the present year—and possibly to some extent in preceding years—with a greater disposition to allow for an increase and expansion of the public Revenue from year to year, than has been the case in former times. That, I believe, has been stated or admitted by my right hon. Friend, and I do not know whether such a conclusion might not have been gathered from some statements of my right hon. Friend who sits upon this Bench (Mr. Lowe), who at this time last year held the office of Chancellor of the Exchequer; and what I now wish to say is, without recurring to the question of what are incidental and what may be extraordinary changes in the sources of public revenue, that the time has arrived when there should be some modification of the Estimate of the Revenue of the year as would take into allowance that which may now be regarded as a regular increment; and for this reason—that 40, 30, perhaps 20, years ago the fluctuations of the Revenue were greater than of late years, and we were much more exposed at those periods than we are at the present time to the contingency of a serious deficiency of Revenue, either in connection with commercial depression or with the occasional recurrence of deficient harvests. In truth, in my early Parliamentary days, it was a trite and sound proposition to enunciate that a bad harvest made a bad revenue. It was even commonly said that the barley harvest, and the consequent condition of the malt tax, might be taken as the criterion of the public revenue of the year. When that was the case it was necessary, in point of prudence, to form Estimates with great caution, for the purpose of avoiding, as far as possible, those great em-

barrassments in which the House was placed by the occurrence of serious deficiencies. Happily, as the Revenue of the country has become more expanded, and its elasticity more marked, its stability has likewise become greater. I do not mean to say that we are placed beyond the possibility of deficiencies now from special causes; but, if we look back to cases like that of the bad harvest of 1860, or of the Continental revolutions of 1848, I think we have had the most conclusive indications in the steadiness of the progress of the Revenue of late years, as well as in its stability, that from some cause or other we stand on firmer ground than we could flatter ourselves we occupied in former times. And if I myself were asked to suggest—or perhaps I should say to conjecture—an explanation of that satisfactory phenomenon, I find it in this—the great addition, not only positive, but relative, which has of late been made through the increase of wages to the means of the labouring classes of this country. We have greatly widened the basis of the taxpaying community by the command now given to the labouring class over what may be considered, more or less, the luxuries pertaining to their condition; and, provided the principle be not pushed too far, I believe it is right and just towards this House, and that it involves no serious elements of risk, that Estimates should be made with a greater disposition to assume that a portion at least of that increment which we have witnessed now for so many years will continue than could formerly have been the practice, or, at any rate, the practice justified by the general rules of finance. I do not know whether it would be in the power of my right hon. Friend the Chancellor of the Exchequer to give any information to the House in figures upon the question, so as to enable the House to judge what amount of difference in the mode of estimate they are to allow when they look at his figures. I do not know whether he could tell us, for instance, how much the present Estimates of Revenue are above what they would have been, provided he had proceeded exactly upon the same considerations as were in use, I may say, 20 years ago. It might be convenient to do so—I am not pressing my right hon. Friend on the subject if the course would be inconvenient—but the chief advantage I

should expect from it would be that it would tend to dissipate exaggerated and unfounded impressions which may have been formed with reference to the sanguine character of the Estimates of the year. Then, with regard to the Estimates of Expenditure which are before us, I conceive it to be indubitable that the very same principles which should have prevailed with reference to the Estimates of Revenue must likewise be applicable, and conclusively applicable, with regard to the Estimates of Expenditure. I say this because it is supposed by some—I am far from assuming it to be the fact—that a different view of the probable Expenditure of the year is to be gathered, on the one hand, from the statement of the right hon. Gentleman the Chancellor of the Exchequer, and, on the other hand, from the Departmental statement of the right hon. Gentleman the First Lord of the Admiralty. I say it may be understood; but I give no opinion upon the subject whether such a conflict or contrariety exists or whether it does not. Undoubtedly, it reminds me that there is a great convenience in the old rule—which should never be departed from except under special circumstances—that the submission of the statement of the Navy Estimates, as well as the Army Estimates, should precede the statement of the Chancellor of the Exchequer. I dare say the circumstances of the present year may have warranted the departure from that usage in this particular case; I am not now throwing any blame, but I am desirous that the old and reasonable order should not be forgotten; and it is evident that the impression to which I have referred of an apparent contrariety could not have been created if the statements of the Budget had, in the ordinary course, followed the submission of the Navy as well as the Army Estimates. And here I say that, in my opinion, there can be no such contrariety. It is not possible that there can be two statements submitted to the House by the same Government with reference to the probable Expenditure of the year. I come to the conclusion that if the First Lord of the Admiralty has been supposed to indicate a likelihood that, in the course of the year, he may have occasion, in the interests of the Navy, to demand a portion of that money which the Chancellor of the Exchequer is now going to throw away on

*Mr. Gladstone*

the taxpayer, the First Lord of the Admiralty must have been wrongly understood. There is no doubt that the Government cannot speak with two voices on the subject of the coming Expenditure, and that the one voice with which it does speak is the voice of the Chancellor of the Exchequer. As in the case of estimated Revenue, so in the case of estimated Expenditure; it is the figures of the Chancellor of the Exchequer which have the sanction of the united Cabinet, to which, and to which alone, we have to look. And if it be true—I assume it is not true—but if it be true, that there was a likelihood of new demands upon the public purse other than those comparatively trifling matters which are apt to arise in the course of the changes incident to the annual services even in time of peace—if there was a likelihood of demands of a different class in the course of the present year—it would have been the duty of the Chancellor of the Exchequer so far to reconsider his financial proposals as might be necessary, and to reserve a sum sufficient to enable him to meet those demands, in case it should be the pleasure of the House to entertain them. I dwell with the utmost confidence on this principle—that it is not possible to relieve the responsibility of the united Government by the declarations of a particular Department of the Government. The House is entitled to expect—and must, from its very nature as a legislative and deliberative body, expect—one declaration, and one only; and must take as that one declaration the words which proceed from the mouth of the authentic organ of the Government with respect to Finance—the Chancellor of the Exchequer. I apprehend, therefore, that our course is clear and undoubted, and that, without any fear whatever, we may proceed without prejudice to the consideration of the proposals of the united Government. And now, with regard to these particular proposals, I will first take one of which, if I understand it rightly, the magnitude has been considerably exaggerated—I mean that which deals with the question of the reduction of the National Debt. Here let me say I entirely approve of the proposal made by my right hon. Friend so far as its principle is concerned. I am disposed, indeed, to offer him a suggestion, which has nothing to



do with the principle of his proposal, but merely with the practical form of its application, and which is, I think, worthy of his consideration. Now that we have already, by the operation of former years, laid quite enough of load upon the back of 1885, would it not be as well to take some other date—10 or 20 years later—with reference to which to frame our Terminable Annuities? It is very much better to have a very large and enormous remission of charge accruing in any year than an enormous extension or enlargement of charge. But none of these enormous changes are desirable. What is desirable is to give as equable a movement to our finance as possible. The sum which will be extinguished in 1885 is very large, and it would be better that the operation now beginning, and other operations of the same kind which I hope will follow, should have a later date. I entirely agree in the wisdom and propriety of the proposal of my right hon. Friend; but it would be a mistake to suppose that the proposal is equivalent to applying to the reduction of the National Debt a new fund which hitherto has not been so applied. As I conceive, he applies, in a manner which is direct, intelligible, and certain, a fund which has hitherto found its way to the reduction of the National Debt in a manner which was indirect, completely concealed from the public eye, and by no means unequivocal or absolutely certain. It is, therefore, a great improvement in the detail of our administration rather than the adoption of a large measure for the reduction of the National Debt. Of course, we have all been attracted to the consideration of that portion of my right hon. Friend's proposals which relates to the income tax. It can never be expected that upon such a subject there will be unanimity of view in this House. There is much to be said in favour of its maintenance as a permanent and perpetual tax. For my part, I have always been of opinion that it is desirable, if it be possible, that the income tax shall be allowed to lapse when the country is rich enough to dispense with it. I am of opinion, which I expressed as a Minister of the Crown three months ago, that we have arrived at a period when this might have been done. But that question has now gone by so far as I am concerned.

It is totally impossible, in my opinion, for any persons except the responsible advisers of the Crown to make the comprehensive proposals with reference to taxation and expenditure which would be absolutely necessary in order to admit of the entire abolition of the income tax. That being so, we not being responsible for the expenditure, and not having the power which belongs to those who possess the initiative in taxation, I have to look, as a subject of the Crown and as an independent Member of Parliament, to the proposal now made. Looking at the matter in this light, I cannot help saying that I am thankful and grateful to my right hon. Friend for the proposals he has made. But I feel bound to say that my gratitude has been caused in a considerable degree by the belief that the proposition he has made with regard to the income tax is an important step towards the entire extinction of that tax. I think it must be obvious to us all—at any rate, to the great majority of those who have considered this subject—that if there is to be an income tax in this or any other country as a permanent portion of the finances of the country, it ought not to be an income tax only of 2*d.* in the pound. As regards certain Schedules of the income tax, I do not think there can be any great objection to its maintenance even at an exceedingly low rate; but it must be observed that whether high or low we are subject to the same charge for collection. I must also observe that that part of the tax which depends on percentage allowance becomes exceedingly low as the tax is reduced, as I know well was the case when the reduction to 4*d.* took place, and claims—and well-founded claims—are made for some augmentation for this loss on the per centage, so that as the amount of the tax diminishes the proportion of the cost of collection to the net proceeds becomes rather serious. But that is not the main item for consideration. The principal thing that requires consideration has relation to one only of the schedules—to that Schedule which includes the lowest incomes liable to the tax—namely, Schedule D—and connected with which is a very large proportion of the grievances and difficulties complained of. There is hardly a case in which the tax is levied under Schedule D that does not entail upon the taxpayer a considerable amount of



trouble—sometimes such an amount of trouble as to constitute in itself a serious tax upon patience and time. People who live in the country are compelled to attend a meeting of the Income Tax Commissioners, at a distant place, without great choice as to the means of conveyance, without certainty as to when the case will be heard, and this on account of very small sums. These are difficulties which clearly ought not to be encountered except for the sake of a large benefit—except on account of an imperious and absolute demand in the interests of the public service. I therefore, without committing the Chancellor of the Exchequer or the Government, look upon the proposal as being in itself an important practical step towards the total abolition of the income tax. I do not say it pledges the House; but I think it gives an indication of the mind of the House which may not be without importance at a future time. In that view I accept it with gratitude, independently of the fact that it is a serious diminution of a public burden. In regard to the abolition of the sugar duties, I cannot refrain from saying in the most emphatic manner that my right hon. Friend has made a wise choice of the particular article upon which he should bestow his bounty, and he has also done well in making a clean sweep of an entire duty affecting a great article of trade, instead of being content with any smaller measure. I know economists and financial politicians are divided into two schools upon this subject. There are those who say it is a very excellent plan to have a large number of duties laid upon a very large number of articles, provided they be not extravagant in amount. I must say my own experience and convictions are those of precisely the opposite school. I hold it is a good thing to substitute a low duty for a high one; but it is a still better thing to abolish a low duty in order to get rid altogether of the duties which bear upon trade. A considerable portion of the value of a duty lies, not in the precise amount which is collected, but in the trammels and fetters which the fact of its existence imposes upon trade. After duties lower than 5 per cent, called nominal duties, have been repealed, there has been something approaching to magic in the elasticity which has been communicated to a

particular trade. In this particular case it is eminently desirable that a decisive resolution should be taken. I do not agree that you ought not to give up a tax because you cannot re-impose it; when an adequate public necessity arises you will always be able to re-impose a tax. I trust, however, that this great fiscal emancipation may be a perpetual boon, or, if not, that it will be a very long-lived boon. I am satisfied it is a superstition to suppose merely because we abolish a duty in this country that we cannot re-impose that duty, provided we are able to show an adequate public necessity. In this instance a great number of considerations concur in recommending the course taken by my right hon. Friend in the determination to devote a large sum to the relief of an article of consumption, and in the choice of sugar as that article. It is impossible to contemplate without dissatisfaction the position of the refining trade of this country. Although I know not whether the change will be one wholly unattended with difficulty to that trade, yet I am disposed to believe that only by the abolition of those duties can we give a clear and unembarrassed field of action to our Colonies and to all sugar-producing countries. They have not been accustomed to refine it. The differential duty that had to be paid on importation into this country operated most powerfully to prevent that development of skilled industry and the application of capital to machinery in tropical producing countries which I think the course of Free Trade will be very likely to produce in future years. We have been accustomed to consider Customs' duties as a system of taxing tropical commodities, and so it is in the main; but sugar is no longer a tropical commodity; on the contrary, it is a European commodity. The imports of European sugar increase from year to year; and I think this House, which is disposed to be keenly alive to the claims of agricultural industry, will welcome the proposal of my right hon. Friend on the ground that it opens up a new industry to the farmer and the agricultural interest. I know no reason why we should despair of seeing the production of sugar either from beet-root or from other commodities in this country, or of finding it taking its place among our great industries, as it has taken its place among the great industries of

neighbouring countries, such as France, Belgium, and Germany. These are the main proposals; but there are two other points to which I shall refer. My right hon. Friend proposes to abolish the duty on horses, and I must own that I approach that subject with a greater mixture of feeling than that with which I approached the greater subjects to which I have referred. No doubt an assessed tax in this country never can be popular. There must always be a certain amount of annoyance connected with the collection of these taxes, and there can be no doubt at all that among the assessed taxes the horse duty is one which presents a very special element of weakness in the fact that it is not equally laid. I refer, of course, to the exemption from the duty of the horses employed in agricultural labour. I am not going to recommend the extension of the tax to horses employed in agriculture. I look upon that exemption as an ultimate and irrevocable fact; and I cannot deny that it weakens materially the foundation of the duty on horses, as compared with the other duties of the class which were formerly called assessed taxes. But I am very sorry that a question of this kind should be opened without its being carefully considered how much is implied in the proposal we are now asked to adopt, with reference to which, notwithstanding, we may be seriously fettering our own liberties for the future. I cannot deny, on the other hand, that there is rather a serious relation between the duty on horses and the railway tax. The question of the railway tax is somewhat special and peculiar. I expect that those who have been most anxious in promoting the repeal of the railway tax will be found very zealous advocates of the proposition for repealing the tax on horses, because they see the effect it will have in supplying a new argument in favour of the proposition they are so fain to urge. Then, I want to know what will be the effect of the repeal of the tax on horses upon the duties on carriages and servants? Are they also to go on the first practicable occasion? There is a great deal to be said in favour of abolishing these duties also; but then I want to know whether we have carefully considered the whole state of our taxation with reference to what is called personal property. The assessed taxes

are on personal property; and it is considered one of our great grievances that while we tax articles of consumption and so get at the labouring classes, while we tax real property and so get at the richer class, yet personal property, considered as a whole, does not bear all the charges in all respects which might be laid upon it. I do not say this is the case; but it is a serious matter to diminish materially the proportion of charge paid by personal property towards the expenses of the State. We have got, apparently, a policy that indicates a disposition to give up the income tax, or, at least, advances us a step towards its abolition; but, whatever the demerits of the income tax—and I must own, I think, its moral demerits to be very serious—whatever the demerits of the income tax, it certainly has this recommendation—that it does get at personal property; and if we are about to give up the income tax, or about to adopt a policy that savours of giving it up, it becomes a very serious matter at the same time to take steps that, in another direction and in another form, look towards the relief of personal and movable property from taxation. I am not saying, however, that the horse duty should be permanently maintained; but I think it a very serious question indeed, on which the House and the Government ought to have a fixed opinion, whether the assessed taxes ought to be maintained, and whether they can be maintained in such a form as to provide us with something like the sum which we now derive from them, at rates very moderate in comparison with those formerly laid on horses, carriages, and servants. I should have been very glad if it had been in the power of my right hon. Friend to bring the subject of the horse duty and the other assessed taxes before the House—because it is impossible to deny that there is a certain relation between them—at a time when he felt himself competent to propose a final and determinated settlement of the question of local taxation. As I understand it, the strength of the case of those who have so eagerly advocated change in regard to local taxation really lies in this:—They say—I fully admit with considerable force—“We lay exclusively on real property in the country charges in which personal property ought to share.” I have no sympathy with the

advocates of change in local taxation who seek to lay on labour the taxes heretofore borne by property; and I cannot refrain from saying two things—first, that the simple transfer to the Consolidated Fund of charges hitherto paid out of rates, whatever the immediate relief to the ratepayers at large of all classes, is indubitably, in the long run, a transfer of a charge from a fund supplied by property to a fund jointly supplied by property and labour. I am putting it thus, assuming what I believe myself to be about the truth—though it is impossible to state it more than as conjecture—but I believe that one-half the general taxation of this country, and fully one-half, is paid by the labour of the country. If that be so, when we remove a charge from local taxation and place it on the Consolidated Fund, we are not simply relieving real property at the expense of property not real—about which I have no prejudice to prevent my concurrence—but we are relieving real property of a charge of a sovereign, and placing 10*s.* of that pound upon property more generally, and taking the other 10*s.* away. That is the first proposition I have to state with regard to this somewhat serious proposal; and the second proposition I have to state is this—I admit it is only a matter of opinion; but it is my firm and fixed opinion that, not for the purpose of the moment, but for the purpose of the distant future—to which all true Conservatives ought to look—among the many considerations they should have in view when settling the principles of our financial system, there is no one of such vital financial importance as this—that, on the whole, you should make a fair and equitable distribution of taxes as between property and labour. That, Sir, brings me to the last portion of the Budget, on which I do not find myself bound to place myself in any sharp conflict with my right hon. Friend, though his point of view is not our point of view. Our point of view with regard to this subject has been that when we dealt with it, it ought to be dealt with as a whole, and we ought not to commence by making those grants from the Exchequer in aid of local taxation, which we have always recognised as a portion of the work to be done in some shape or other; but we should reserve those grants, and use them as our levers for securing good

arrangements in the numerous branches of that widely-complicated and difficult subject. I am not sure how far I have rightly understood the proposal of my right hon. Friend. I have stated our principle. His principle is a different one. He finds himself compelled to begin by giving away the money he intends to give, instead of reserving it till he has secured sound and good arrangements for making the present law of rating equitable, for developing the principle of local self-government, for leaving the largest possible amount of liberty to local administration, for providing against the dangerous tendency to extravagance in the expenditure connected with rates, which, unless we take great care, our system of public subvention will be calculated to encourage. My right hon. Friend naturally acts from his point of view, and I cannot expect him to act from our point of view. I do not complain of him on that account, for I dare say, in the position in which he now stands, he is acting in concurrence with the sense of the majority of the House, and, therefore, I wish him to understand that I am not a complaining party, although I wish to preserve my adhesion to the view of the subject we ourselves have taken. What I am anxious about is this. My right hon. Friend intends to reserve till another year many important portions of this subject. Then, what I hope is this—that he will not attempt, by any proceeding in the present year, to commit the House, with regard to the future, beyond the grant which he is now making for the current twelve months. Let us be allowed, when we come to discuss this matter next year, to approach it without prejudice in any respect to the course we may wish to take, except by the fact that we have distinctly held out to the payers of local rates that certain sums of money shall at least be given to them. I do not expect or desire that there should be any recession from the question of the amount now proposed; but every opportunity should be left open for considering many questions of the greatest importance, which we are bound, in the interest of all parties, carefully to examine, in order to a satisfactory settlement, which cannot be arrived at by any off-hand process. My right hon. Friend will understand that I am not officiously

and gratuitously introducing this subject. There was a doubt among some who heard him as to the intention of the Government with respect to the large sum of money they proposed to give in aid of the police rate. I may state that a fear was entertained that the Government intended to bring in a Bill during the present year which would fix a contribution from the Consolidated Fund in aid of the police rate by the authority of a Statute. I trust that course will not be taken. I should regret it, as fettering our future liberty in that particular respect in a most important and injurious degree. I think I could undertake to show, if necessary, that some of the regulations under which the present subvention in aid of the police rate is given, actually tend to gross local extravagance, and that this tendency would be greatly increased if the subvention were 50 instead of 25 per cent. I ask, on the part of the House—and it will be admitted to be a fair demand—that if my right hon. Friend is allowed to take the measure he has already slightly sketched as a measure for the year, to meet what he thinks the demands of justice for the year, we shall not find ourselves committed as to the principle on which we are to proceed in the mode of applying aid to local rates when we come to consider the subject in a legislative point of view. I have gone over the main subjects referred to in the speech of my right hon. Friend, and I trust that I have justified the declaration with which I set out, that I would not enter into the discussion in any captious or hostile spirit. I can and I do very cordially join in the general congratulation which my right hon. Friend has received from so many quarters on the ability with which he has handled his various and difficult subjects, which I was quite prepared to expect; and, further, I am quite able to say that although, as I have said, our positions and points of view are not the same—that I do not approach either the Revenue or the Expenditure precisely from his point of view, and that I do not hold myself pledged to his proposals upon those matters; yet looking at the position in which he stands as the organ of the Government, supported by a majority in this House, I think he has approached the whole subject of the financial arrangements of the year in a spirit

of equity and of sound discretion, and that the proposals which he has made fairly demand, as a whole, the approval and sanction of the House as proposals that are worthy of the position he holds, and are at the same time conducive to the general interest of the country.

THE CHANCELLOR OF THE EXCHEQUER: The tone of the remarks which my right hon. Friend has just addressed to the House, and for which I beg leave to tender him my most cordial thanks, has been so favourable that there is little occasion for me to say anything which might be strictly described as an answer. My right hon. Friend has told us, indeed, that although on certain points he differs from the views which I have had to express on behalf of Her Majesty's Government, yet that he is not prepared to challenge our proposals, or to support any of the Amendments of which Notice has been given. At the same time, my right hon. Friend, speaking with that high authority which necessarily belongs to him, has called attention to one or two points upon which, under any circumstances, I should have wished to say a few words to the House, and which, as he has touched upon them, I think it desirable to notice without delay. In the first place, my right hon. Friend has referred to a matter which, as he truly says, has been a subject of comment both in the House and out of it—I mean the Estimates of Revenue and Expenditure in the coming year, which, on the part of the Government, I have submitted to the House. I have been asked whether I can without inconvenience give any further information with regard to the Estimate that I have presented of the Revenue of the coming year. Now, I entirely accept the doctrine which my right hon. Friend lays down—that in these matters of estimates the responsibility attaches, exclusively attaches, to the executive Government of the day; and if, in the remarks I made last week, I spoke rather more fully than is usual of the estimates which had been placed in my hands by the permanent officers of the Revenue Departments, it was not because I wished in the slightest degree to cast upon those Gentlemen any of the responsibility which properly belongs to us, but because I was anxious it should not be supposed that having very recently acceded to office we had presented estimates the correctness of which we



had not taken due care to test. I am prepared to meet the request of my right hon. Friend, and to mention with a little more detail than before, the foundation on which some of those estimates rest. Now, with regard to one most important estimate—I mean the estimate of the revenue from Customs—I should like to make one or two remarks. We have assumed that that revenue in the coming year will be, in round figures, £400,000 above the yield of the Customs in the past year. Well, I am met, not at all unnaturally, by the observation that there are signs of depression of trade and industry; that there are probabilities of a diminution of the consuming power of the population; and that, consequently, we must not expect that so large a quantity of the articles which contribute to our Customs revenue will be consumed this year as were consumed in the previous year. Now, let me just refer for a moment to the particular items upon which the estimate of an increase is based. The principal increase anticipated in connection with the Customs revenue is an increase in the estimated yield of the sugar duties. It is assumed that, whereas the duties on sugar and molasses brought £1,843,000 last year, they would this year bring £2,000,000. The House will perceive the importance of that fact. Here is at once £160,000, out of the £400,000 of which I spoke, added to the estimate of revenue for the year with reference to an article which we are going to strike out altogether; and, therefore, if you say we are too sanguine in assuming that sugar would have yielded the high amount of £2,000,000, then we reply, make it any sum you please, only remember that, the less you assume the duties would have brought if left alone, the less is the sacrifice of revenue which you incur in taking them off; and that being so, it does not signify to me whether you take it at £1,843,000, or at £2,000,000. Under these circumstances, the most important by far of the articles on which an increase is estimated may be put aside. Then there is the item of tobacco, in regard to which an increase of £94,993 is assumed. Well, tobacco is an article that has not been much affected for a considerable time by alterations in duty, and when we see that it has been steadily advancing in consumption every year, we think it is not unnatural, allowing for the normal in-

crease of the population, to believe that that advance will continue. But we have something else to judge by. We know from the Board of Trade Returns how trade has been going on for the first three months of this year, and that is a point to which I directed my attention in forming my Estimates. I found that upon a large number of articles of consumption that were not much or at all affected by duties, there had been up to the very latest date for which we had Returns—namely, March 31, a steady progress in consumption. I set aside the cases of tea and sugar, because they were affected by considerations and alterations of duty and other matters; but I took, for example, bacon and ham, and I found that in the first quarter of 1872 the consumption of these articles was 754,000 cwt, while in the same period of 1873 it was 867,000 cwt, and during the corresponding months of this year no less than 1,045,000 cwt. With regard to butter—still referring to the same three months in each year—the increase had been from 255,000 cwt in 1872 to 270,000 cwt in 1873, and to 337,000 cwt in 1874. As to eggs, the number of great hundreds in the first quarter of 1872 was 915,000, while last year it was 1,144,000, and this year 1,307,000; and so with regard to pepper, and several other articles of food. Of tobacco the consumption in the same period of 1872 was 10,924,000 lbs; of 1873, 11,489,000 lbs; and of 1874, 11,859,000 lbs, taking manufactured and unmanufactured together. Similarly, I found that, with regard to wine, the consumption had risen from 4,157,000 gallons in the first quarter of 1872 to 4,178,000 gallons in 1873, and 4,335,000 gallons in the corresponding period of 1874. So also, as to spirits, which increased in the same periods from 2,106,000 gallons to 2,523,000, and then to 2,604,000. I found, in short, that the experience of the early part of this year showed there was a steady progress in the consumption of articles of food by the great mass of the population of the country; and therefore I assumed that it was not unreasonable to regard the estimates given by the Revenue Officers as at once fair and moderate estimates. There is one other item I should like to mention as showing the progress of the country during the first three months of this year. I refer to the tonnage of



vessels with cargoes cleared, outwards and inwards, and in the coasting trade, during the three periods to which I have referred. The tonnage in the first quarter of 1872 was 12,361,614 tons; while in the next year it was 12,753,742; and in the corresponding period of 1874 it was 13,327,896. In all those directions I found that there were harmonious indications of advance in trade and in importation which justified, as I thought, the anticipations of a continued increase in the consumption of the various articles to which I have referred. It will be seen that sugar and tobacco are really the two great articles in which, an increase is estimated. In tea we do not count on an increase. Last year the duties on tea yielded £3,248,000, and the estimate for this year is £3,250,000, which is practically the same amount. The House will observe that this estimate is an exceedingly cautious one, for we are only assuming that the duties will produce the same amount as in the past year. But what were the circumstances of the past year? It is well known that the effect of the announcement that was made in January was very much to check the importation of tea, and for that reason alone we may expect that there will be a considerable spring in the imports of it this year. But it must also be borne in mind that we contemplate taking off the sugar duties, and what will be the effect of that change? We are going to reduce the sugar duties by £2,000,000, and are we expect that such a reduction will produce no elasticity in tea, coffee, and other articles of consumption? Therefore, I say that our estimate of an increase of £400,000 from Customs above the Revenue of last year is—I will not say ridiculously low—but a strictly moderate figure; and if I were getting up to criticize the Budget I should be inclined to say that the amount of our estimate was likely to be exceeded rather than that there was any danger of its falling short. Then, with regard to the Inland Revenue and the Excise, the two principal items are of course malt and spirits. We estimate that malt will show an increase of £220,000 over last year, when it produced £7,780,000. We estimate that it will yield this year £8,000,000. I would add that in regard to the income from malt we are not left entirely in the dark. A very

large proportion of the revenue for the year to be derived from malt is already ascertained. The system on which the malt duty is charged is, that the officers go their rounds, bring to charge the quantity of malt already made, and collect the charge in the following round. They are thus able to compute the yield to the Revenue from the quantity already made. One of the most important rounds of the year has just been concluded, and it has been found that a very large quantity of malt has already been made; therefore, the officers of the Inland Revenue in their estimate of the income from malt this year gave an opinion which is not purely speculative, but derived to some extent from ascertained facts; and I believe that it will be found that they have been safe and cautious in their estimate. Then there is the great article of spirits. Undoubtedly a large increase in spirits has been estimated for. It is an increase of no less than £750,000 on the revenue of last year, which was £14,650,000. I cannot deny that that is an exceedingly large increase; but I find that year by year the quantity of spirits consumed has gone on steadily increasing. It is still my belief that the highest point of the consumption of spirits has not yet been reached; because I observe, on comparison, that the quantity of spirits consumed per head of the population in each of the subsequent years since 1852 has not yet reached the quantity per head of the population consumed in that year. The House will hardly be prepared for this statement, and it is a very remarkable one. Since the year 1852 there have been a good many changes in the rates of duty on spirits. The Scotch and Irish spirits have been gradually raised and brought up to the level of the English duty. The effect has been to check consumption; but, of late, the consumption has been again advancing, and it now stands thus:—In 1852 the quantity of British spirits consumed per 1,000 of the population was 918 gallons; in 1855 it was 908 gallons; in 1872, 844 gallons; and last year it was still only 899 gallons. The consumption of foreign spirits has, of course, also been increasing, though perhaps not in just the same ratio. The increase in the consumption of British spirits, at all events, has been going steadily on; but it has not yet quite reached the consump-

tion per head of 1852, before the duties were increased. On the whole, therefore, I think that the Estimates that have been taken are Estimates which may be confidently recommended to this House, barring, of course, accidents which it is impossible to foresee. And although we have felt it our duty to warn the House that we have taken a rather sanguine view, yet we think it by no means a rash view, but that the Revenue of the coming year may be fairly and reasonably expected to reach the amount at which we have placed it. The next point to which my right hon. Friend adverted is the exceedingly important question of the Estimate of Expenditure of the year. My right hon. Friend made the observation—which, as a general rule, is perfectly true—that it is more convenient that the Army and Navy Estimates should be laid on the Table before the Financial Statement is made. As a general rule, I entirely agree with my right hon. Friend; but circumstances which the House will recollect made it necessary for us to depart from the rule this year. When we came into office there was very little time before us. It was impossible for us to examine the Army and Navy Estimates so as to lay them on the Table before Easter. It was of the greatest importance in the interests of trade, which was seriously paralyzed in some branches, that the Budget should be brought forward as early after Easter as possible. We took the very first day after the Easter Recess for this purpose, and we were obliged to bring on the Navy Estimates after the Budget, instead of before it. The state of things, however, is not such as to affect the judgment of the House upon our proposals. The Budget statement was made on Thursday, and on the following Monday my right hon. Friend (Mr. Hunt) brought forward the Navy Estimates. The House has met to-night to consider how far they will give their approval to the financial proposals of the Government, and they have before them all the information necessary both with respect to the Army and Navy Estimates. Well, Sir, the Financial Statement is not, as some seem to suppose, made by the Chancellor of the Exchequer on his individual responsibility, any more than the Army or Navy Estimates are proposed upon the individual responsibility of the Secretary

of State for War or the First Lord of the Admiralty. The financial proposals, both with regard to Revenue and Expenditure, are made on the authority of the whole Government, and of course we are responsible for the whole of what we present to the House. It may happen, as it has happened, that in the course of a Session of some months' duration, circumstances may arise which may upset the calculations made in the early part of the Session; but it would be a reflection on the Government of the most serious character if between Monday and Thursday they were to alter the whole scheme of their Expenditure. I can hardly conceive that we have done anything to lay ourselves open to the imputation of being so utterly "bird-witted" as to come forward on Monday with a totally different proposal from that which we had made on the previous Thursday. In what has been said and done we have acted with perfect consistency, and with a full consciousness of the bearing of one part of our proposals upon the other. I stated to the House, when I brought forward the Budget, that we accepted the Estimates of Expenditure left us by our predecessors. [Mr. GLADSTONE dissented.] My right hon. Friend was not here. In general terms, I said, we accepted, after a general examination, the Estimates prepared by our predecessors—that we considered that, upon the whole, these Estimates would suffice, or nearly suffice, for the Expenditure of the year. I threw out then a remark which I considered was within the cognizance of everybody—that every year there are Supplementary Estimates brought forward. I expressed a hope that we might go through the year without any, but I added that we could not be sure that that would be our fate; and when I look at the fact that, of late, almost every year there have been Supplementary Estimates of £200,000, £300,000, or £400,000, I cannot feel at all sure that it may not be our fate to provide for some such Supplementary Estimates as those. I hope still we may escape any necessity of that kind. We have, however, a reserve of between £400,000 and £500,000, and if it should turn out that there are any Supplementary Estimates that might require an expenditure of £100,000 or £200,000, we shall be in a position to meet them without in any way upsetting the finance

of the year. Some persons have run away with the idea, from what fell from my right hon. Friend the First Lord of the Admiralty in proposing the Navy Estimates, that the Government intend to bring forward some enormous Supplementary Estimate for something like a partial re-construction of the Navy, which will more than absorb the surplus, and, indeed, upset the whole of the financial arrangements of the Government. This idea seems to have taken a hold upon the public mind, and to have given rise to most extraordinary imaginations. One report stated that I was going to propose to negative the Resolutions with regard to the horse duty, and, in fact, some persons got so bewildered that they mistook plums for horses. Now, I sat by my right hon. Friend while he was making his statement on Monday, and though some things which he said with respect to the state of the Navy seemed to me to be by no means satisfactory, and although I thought he rudely dispelled the dreams in which many persons had indulged that the great reductions which were made by the late Government had been consistent with the maintenance of the Navy in that condition of efficiency which we all so much desire; yet I gathered nothing from the observations of my right hon. Friend that at all disturbed my equanimity as to the financial proposals of the Government. Indeed, it was not until the late First Lord of the Admiralty rose to address the House that I felt at all unhappy on the subject. He certainly did say something which, had I not stronger nerves than I am supposed to have, might have upset me. That right hon. Gentleman did not say that my right hon. Friend (Mr. Hunt) was entirely wrong in the views which he had expressed; he did not contend that our Navy was in a perfectly unexceptionable state of efficiency; but he said, "If those are your views"—not very much disputing their correctness—"you ought not to lose a day in coming down to the House and bringing forward Estimates for re-constructing the Navy. We may have left the Navy in a very unsatisfactory state, but then we have left you a surplus to put it in order again." These are not the views of my right hon. Friend or of the Government, but of the right hon. Gentleman the Member for the City of London

(Mr. Goschen). But we decline altogether to be bound by the speech of the right hon. Gentleman or by the inferences which he has drawn. It is perfectly true that my right hon. Friend stated on Monday that some of our ships were not in a satisfactory condition; I have no doubt, too, that he is addressing himself to the question of what may be done to improve that condition; and we must presume that in course of time we shall have some representations made for an increase of expenditure; but I hope that this expenditure may be balanced by savings elsewhere, or that means may be provided for meeting the expenditure. This, however, I will undertake to say—that as we object very much to the principle of violent reduction into which our predecessors hurried when they took office, we equally object to any violent launching into sudden expenditure; and though we shall address ourselves, of course, to the very important task of putting the Navy of this country in what we consider to be a proper state, we do not intend to make any proposals this year which shall disturb the financial scheme of the Government. [*A laugh.*] I do not know what hon. Gentlemen opposite mean by that laughter; but, without entering into any inquiry as to its causes, I repeat that we stand by our Estimates, both of Revenue and Expenditure. Passing from that point, I should wish to refer briefly to one or two matters which have been touched upon by my right hon. Friend to-night. He alluded to the proposal for the appropriation of a certain sum of between £400,000 and £500,000 for the creation of Terminable Annuities which were to expire in 1885; and while approving that proposal as a whole, he expressed it to be his opinion that it would be better to take a later date than the year I have named. Now, that is a question with respect to which I should very much like to have a quiet argument with my right hon. Friend. I should wish to know exactly what it is he means. Does he mean that we should make arrangements for redeeming a larger portion of the Debt at a later date? At all events, we appropriate such a sum as will exactly extinguish £7,000,000 by the year 1885, and £7,000,000 of Debt happens to be within a few hundred thousand pounds of the amount which the Controller of the National Audit

Office tells me can be conveniently and safely applied from the Post Office Savings Bank money to the purpose of creating Terminable Annuities. If you go about redeeming Debt by means of annuities, you must find somebody who will buy those annuities; for it is not possible to dispose of Terminable Annuities in the open market. You can, consequently, have recourse to them only by taking them out of one of the funds which are under your own control; and what funds, let me ask, are they? There is one fund which can be conveniently used for this purpose. It is the Post Office Savings Bank fund, because there being a national guarantee for the amount of that fund, there can be no difficulty in investing it in the purchase of Terminable Annuities. There are other funds which the Government hold as trustees. There is the moderate fund which is vested in them as trustees of the old savings banks, and the great fund which they hold as trustees of the Court of Chancery. But, then, the difficulty would be to deal on the spur of the moment with those funds, and an Act of Parliament would, I believe, be required for the purpose. That being so, and taking into account the short time the Government had to consider their plans, I think they took the best and most convenient course in applying the Post Office Savings Bank funds to the extinction of a certain amount of Debt, as they have proposed. It is not that we do not contemplate in the future the possibility of some more extensive dealing with the Debt in reference to the funds under our control, but these are matters which require grave consideration; and I feel assured, if we had dealt on the spur of the moment with so great a fund as the Chancery fund, we should have had all the lawyers upon our backs, that many doubts would have been raised as to the expediency of the proposal, and that much valuable time would have been lost. But my right hon. Friend says that we are laying a great load on the year 1885. I say, quite on the contrary, that we are taking a great load off that year. A sum of between £4,000,000 and £5,000,000 per annum will then fall in, which will no doubt be a very large relief to the expenditure of the country. I will not on this occasion, however, enter into a

general discussion on the subject of Terminable Annuities. I will merely add that we had a fund with which we could deal easily and conveniently on the spur of the moment, and that we dealt with it in what we considered to be the best and most appropriate way. But then my right hon. Friend says that we are, after all, not doing much in making this proposal, because the money must have in some way or other found its way to the relief of debt. Now, that is a statement to examine which would lead me into too technical a discussion, and I will now content myself with saying that the remark is to a certain extent just; but I must enter a *caveat* against being supposed to admit its correctness to the full extent of my right hon. Friend's manner of stating the question. Now, as to the income tax. I do not think the House will be surprised if I abstain from entering into a discussion which my right hon. Friend hardly seemed desirous of raising. The great question of the income tax is one which we have distinctly and avowedly reserved for full consideration next year. We have made certain concessions to the payers of income tax, but they in no way touch the principle of the impost. We evaded—and we did so deliberately—all questions as to the incidence of the tax, because we wished to keep the subject open for the present. I will merely add, therefore, that so far as the income tax is concerned, we adhere to the proposals which we have made. As to the sugar duties, my right hon. Friend has given in better language than I could command the reasons which induced the Government to abolish instead of reducing those duties. I will mention, while on this point, a story which I heard a few days ago, and which well illustrates the inconvenience and the uncertainty of the sugar duties. I was told by a friend of mine that he met a gentleman who said to him—"I have a cargo of sugar at this moment coming to this country. It depends upon the decision of an officer of the Customs—of whose qualifications I know nothing—whether it should be put in one class or another, and according as it is put in one class or another I shall either make or lose by the cargo £1,200." Now that is, I think, a very strong illustration of the way in which the sugar duties operated as regards the different classes



of sugar. Then, the right hon. Gentleman, after having expressed his approval of our proceedings with respect to the sugar duties, expresses his dissent from our proposals relating to the horse duty. Well, the remission of that duty has, no doubt, been received with some surprise in certain quarters. It is said that it is a remission which was not called for, and one of which the advantage will mainly be felt by the rich. Now, I entirely deny the accuracy of both these propositions. As to the repeal of the horse duty not being asked for, I would remark that although I certainly did not receive any deputations on the subject, yet I have had memorials—very important memorials—from Glasgow, Manchester, Edinburgh, Liverpool, Aberdeen, and various other places, all urging on me the importance of relieving trade from that heavy burden. I will not trouble the House by reading them; but they are memorials from persons who represent that they are very seriously burdened in carrying on the trade of the country by this duty on horses. That was a matter which was pressed on me almost daily from many influential quarters—some of them in large towns. It was a matter also which was brought under my notice by the officers of the Inland Revenue, whose attention was directed to the collection of this tax. They represented to me that the tax, being entirely founded on exemptions, was one which it was exceedingly difficult and inconvenient to levy; that there were constant complaints made as to the levying of the tax on a horse, which ought to be exempt, because a man happened to ride it once. And so again with what was connected with that duty—the horse dealers' licence duty—there was a difficulty as to who was and who was not a fit subject for the impost. We took these memorials into consideration, and also the representations made by the officers of Inland Revenue, and we believed—and still believe—that in repealing this tax we are conferring a great boon, not so much on the agricultural interest—although to some extent it is a boon to them and to horse breeders—but to a far greater extent on the commercial and trading classes of our great cities and towns. Well, my right hon. Friend says this connects itself with the railway passengers duty. I admit that

there is a kind of seeming analogy between them; but I do not think they stand on the same ground. At the same time, I have always said that the railway passengers duty is one which, if we could see our way to couple its remission at a future time with proper regulations with respect to railway traffic, we should be very glad to deal with. With regard to carriages and servants, the tax upon which has been mentioned by my right hon. Friend, I do not know that we need go into those questions now, as we are making no proposal with regard to them. But I wish to say a very few words on the concluding remarks of my right hon. Friend about our proposals as to local taxation. My right hon. Friend says he agrees with us in thinking it fair and reasonable that some remission should be made and some benefit conferred on local ratepayers; but he thinks that the proper way to do that would be to reserve the grants which would be made as levers to assist in bringing about improvements in the system of local taxation. Well, we were not in a position exactly to reserve those grants as levers; because if we had done so it would have meant that we were reserving a considerable surplus which we now propose to dispose of, as the House is aware. We should have been reserving that; and what would have been the consequence? We should have had applications made to us which it would have been difficult to resist, for the appropriation of that surplus to other objects; and we should have had no levers left to effect our operation. But we had another thing to consider. My right hon. Friend and his Government had been applying these levers for a considerable time, without, as it seemed to us, producing any great result. And it appeared to us that, perhaps, a somewhat different mode of proceeding would be preferable, and that we should do better by taking up the question of local taxation in the way we have done, showing our anxious and earnest desire really to deal with it, announcing at the same time—as we have said, in the most distinct manner—that we do not regard the grant towards the cost of lunatics and the police as the be-all and end-all of this subject, but pointing out that the question is one of the greatest questions of the day, and not to be disposed of in one year or in two, but that the



whole question of local administration and local agency closely connects itself with those great economical and social improvements which it is important to make, and that we are prepared to deal with local taxation with the view of promoting and facilitating those improvements. And when my right hon. Friend talks about transferring burdens from funds supplied by property to funds supplied by property and labour, he is really carrying us off into disquisitions which I think are altogether wide of the mark. This is not, in our view, a question of the shifting of burdens; it is a question of the adjustment of taxation with a view to administrative reform; and we altogether deny, in the first place, the truth of the saying that this is a transfer of burdens from property to property and labour; and, in the second place, we say, even if it were in any sense such a transfer, the object for which it would be made is the benefit, not of property, but of the country, and of the labour of the country especially. It is because we feel that these improvements are of such great and vital importance to the labouring classes—improvements in the character of their dwellings, improvements in the sanitary arrangements of the country, improvements in the development of habits of providence, and other things of that kind, which depend on the establishment of a sound system of local agency, founded on a sound and proper system of local taxation—it is because we believe this, that we are so urgent in pressing this matter and putting it as our first question for consideration. We entirely agree with my right hon. Friend, that if we stopped where we are now, and simply made the subsidies we propose, and left everything else as it is, we should deal very inadequately with this great question. But, as I said when introducing the proposals of the Government, we do not intend to stop here. We intend to take up this question as a whole, and we trust that what we are doing now will not hinder, but will help that which we shall feel it our duty to propose in another year. These are the principles on which the financial proposals of the Government are founded; these are the principles on which we submit them to the House, and we trust it will support us in giving effect to them.

*The Chancellor of the Exchequer*

MR. GOSCHEN: Perhaps the House will permit me to offer a few words in explanation after the statement of the right hon. Gentleman opposite. I understood the right hon. Gentleman to say that the other night I had practically admitted the truth of the statements made by the present First Lord of the Admiralty. I beg to say most emphatically that I admitted nothing of what the First Lord of the Admiralty said. ["Oh!"] Hon. Members will search the record of the debates in vain to find that I uttered one single syllable to depreciate the state of the Navy at the present moment. Three long speeches had been made from three different quarters as indictments of the Naval administration of the last five years. To those three speeches it was my duty to reply. One of those speeches proceeded from the right hon. Gentleman the present First Lord of the Admiralty (Mr. Hunt), and it was not only what he said, but the manner in which he said it, that impressed the House at the time. There was in it that ominous inuendo which was taken up by the Press next day. I did not think that I could in an hour's time refute all the statements made in the course of the evening. I knew that our vindication would come, and also whence it would come. I knew it would come from the front bench opposite, and from Her Majesty's Government. I knew that by the proposals which they would ultimately submit to the House the country would see that they were wrong in the inferences they had drawn from the speech of the First Lord of the Admiralty. And now we see that the whole of this "scare" which has frightened the public for these two days is a matter of about £100,000 on an expenditure of £10,000,000. If after an administration of five years when the Conservative Government come into office they think there are no greater errors to repair than that, I say that it is the best vindication of our conduct—better than if I had made a speech of two hours denying or dealing with every part of the First Lord of the Admiralty's statement. I thank the Chancellor of the Exchequer for the statement he has made to-night. Now, we shall be able again to discuss the Navy Estimates on a reasonable footing.

*Motion agreed to.*

First Resolution read a second time, and amended, by inserting, after the word "Marmalade," the words "Plums preserved in Sugar."

Resolution, as amended, *agreed to*.

THE CHANCELLOR OF THE EXCHEQUER said, that he had intended to lay a tax on plums preserved in sugar; but finding that the tax as proposed would only yield a revenue of £12 per annum, he had now to propose that the second Resolution should be negatived.

Second Resolution *disagreed to*.

Subsequent Resolutions *agreed to*.

#### WAYS AND MEANS.

Order for Committee read.

Motion made and Question proposed, "That Mr. Speaker do now leave the Chair."

#### MALT TAX.—RESOLUTION.

MR. JOSHUA FIELDEN, in moving, as an Amendment, that "in the opinion of this House, the Malt Tax ought to be reduced," said, that in 1868 he pledged himself to his constituents that if returned he would do all he could to procure its repeal, but circumstances prevented more than one discussion on it, and had there been more full discussion, it could have led to no satisfactory result, the late Prime Minister having never concealed his opinion that the tax ought not to be repealed. A division, however, might have shown the opponents of the tax, who were their friends and who were their foes. The position was now a different one. The present Ministry had been elected, to a large extent, by persons anxious to see this tax repealed. From such a Ministry those persons had a right to expect that some relief would be given them. The present Prime Minister had in 1852 proposed to Parliament to repeal one-half of the malt tax; and in 1866, when he was Chancellor of the Exchequer, he had stated to a deputation that he had never concealed his opinion that the malt tax was a bad tax, adding that they, the farmers, did not sufficiently support him in 1852. But, notwithstanding these facts, a Budget had been introduced by the present Ministry, the so-called farmers' friends, showing a surplus of £6,000,000, and nothing whatever had been given to

the payers of the malt tax. When were the advocates of repeal to move if not now? Many Friends around him had told him he would injure the cause by dividing; but he conceived it his duty to go to a division that it might be seen who were the friends of repeal, although many who would have supported him had they been in Opposition would now vote against him. He had not entered the House as a party man, and did not think that the fact of 12 or 15 Gentlemen walking from one side of the House to the other was any justification for an alteration in the opinions which he had always entertained. One of the reasons urged by the Chancellor of the Exchequer for not dealing with the tax was its enormous amount, for it had the last year produced £8,000,000. The large amount of a duty was not used as an argument against its reduction by the right hon. Gentleman the Member for Greenwich when he proposed to reduce the tea and sugar duties. In 1863 the tea duty produced a revenue of £5,485,159. In that year the malt tax yielded £5,389,908. In 1863 the right hon. Gentleman reduced the tea duty, and the reduction he estimated at £1,641,541. In 1865 he made a further reduction of the tea duty to the extent of £2,214,981. In 1864 the revenue from the sugar duties was £6,158,701; but that was no argument with the right hon. Gentleman why these duties should not be reduced. On the contrary, in that year they were at his suggestion reduced £1,744,384. In 1870 they were further reduced to the extent of £2,786,281, and this year they were to be abolished altogether. From 1863 to 1874, both inclusive, they had reduced the tea duty by £3,856,522, and the sugar duties by £6,256,665, while the malt duty had not been touched. He could not see why the objections to a tax which pressed with exceptional hardship on the labouring people and on the cultivators of the soil should always be ignored. The feeling in the country towards the present Government would be—"Save us from our friends!" The malt tax amounted to 21s. 8d. on every quarter of barley made into malt, and though the price of barley was now high, the average taken on 10 or 15 years did not exceed 32s. to 36s. a quarter. He would demonstrate the hardship of the tax by stating that if the average price of bar-

ley was 32s., the tax would amount to 70 per cent; if the average price was 36s., it would amount to 60 per cent. It was a tax, too, that violated a principle which the House and the country had adopted; that an article should be taxed as near the point at which it went into consumption as possible. But this tax was laid on a raw material—upon barley on its conversion into malt. The amount that it brought into the Exchequer did not by any means represent the amount taken out of the pockets of the taxpayer. This had been most ably shown by the right hon. Gentleman the Member for the University of London. In 1869, in his Budget speech, he said—

“Again, it is a tax on a raw material in its very rawest state; this 1s. a quarter—or whatever it is—has to bear the profit of the millers, the retailers, and all the different persons through whose hands the corn passes before it reaches the poor man in the form of a loaf.”—[3 *Hansard*, xcv. 388.]

This was said in reference to the 1s. a quarter duty on corn. How much more forcible, when the argument was applied to the 21s. 8d. a quarter tax on malt. The maltster had to pay the tax of 21s. 8d. It was an expenditure on the first process of his manufacture, and it was therefore in effect the same as though he had spent so much extra money in the purchase of barley. He would, of course, charge interest and profit for the capital employed—say 5 per cent for the former, and 10 per cent for the latter; in all, 15 per cent on the tax of 21s. 8d., or 3s. 3d., thus making the charge 24s. 11d. The brewer would charge a like 15 per cent for interest and profit upon the amount he paid to the maltster, which would be 3s. 9d., making the charge of the brewer 28s. 8d. The retailer often disposed of his beer before he paid the brewer; therefore he would not charge anything for interest on his capital, but 10 per cent for his profit which would come to 2s. 8d., which brought the sum charged to the consumer to no less than 31s. 6d. The average price of barley, as he had stated, was 32s. a quarter. The tax, therefore, that the consumer of beer had to pay was at the rate of 100 per cent. In other words, while the malt tax brought into the Exchequer £8,000,000 a-year, it took out of the pockets of the people, owing to its being laid on the raw material which fostered the great monopolies of malting, brewing, and retailing beer, at least £11,500,000. He

contended that such an impost was wholly unjustifiable in principle. He was not about to advocate the placing of the tax upon any other article in order that malt might be relieved. If beer was to be taxed, it ought, he thought, to be placed as near as possible to the point of consumption; but what he did advocate was the reduction and final repeal of the tax in question. He had received a letter that morning from a farmer, a gentleman who wrote with some authority on the subject—Mr. Fowler, who lived near Aylesbury, and was a very strong supporter of the Prime Minister. He said—“I grew about 60 acres of barley last year, and placed it soon after harvest. I sold 300 quarters of malt, the duty on which will be £320, or at the rate of £5 10s. per acre.” He was only sorry that the writer of that letter and other constituents of the right hon. Gentleman at the head of the Government did not press him hard upon the subject during the late Election. Then when malt was exported the tax was taken off. In the extremely wet year of 1860 a farmer on the south coast of England applied to the Excise for permission to malt his barley, which otherwise would be spoilt. Permission was refused, whereupon he got his barley malted, paid the duty, shipped it to France, and got the duty returned. He next shipped off his sheep after it, and when they had thus been fattened upon untaxed malt in France, he brought them back and sold them in the English market. Facts like these showed the gross injustice which this tax imposed upon the farmer. He should doubtless be met by the remark that the only effect of reducing the malt tax would be to increase the quantity of beer drunk in the country, and that at the present time more beer was drunk than was good for the people. His answer to that statement was that it was not the amount of pure beer drunk that injured the people, but the quantity of adulterated poison sold under the name of beer, which was the cause of the misery and wretchedness they all so much deplored. He was anxious to restore the practice of cottage brewing, which, in consequence of the high price of malt, had fallen into disuse in most agricultural districts, although it still existed to a great extent in the suburbs of manufacturing towns like Halifax,

*Mr. Joshua Fielden*

Leeds, Huddersfield, and Todmorden. In 1865 he sent a reliable person round to collect information as to the extent of cottage brewing in that part of the country, and the information he obtained was most interesting. He had it put into a concise form and would read the result:—

TOWNSHIP.	PARISH.	Total Families.	Brew at Home.	Would brew, but can't afford.	Buy Beer.	Do not drink Beer.
Elland . . . . .	Halifax . .	1419	1237	51	73	58
Hipper-holme-cum-Brighouse .	Ditto . . .	1737	1301	141	157	138
Quarmby-cum-Linley . . . .	Huddersfield	987	784	84	71	48
Idle . . . . .	Calverly . .	2231	1643	220	106	262
Langfield . . . . .	Halifax . .	876	610	46	48	172
Middle Third of Stansfield . .	Ditto . . .	798	591	54	49	104
Todmorden and Walsden . . .	Rochdale . .	1774	1293	139	93	249
		9822	7459	735	597	1031

Given in another form it might be stated as follows:—76 per cent of the inhabitants of these townships brewed at home; 8 per cent would brew, but could not afford to do so; 6 per cent bought beer; 10 per cent did not drink beer. The habit of cottage brewing prevailed at one time to a vast extent all over England, and it was in consequence of the increased price of malt, owing to the malt tax, that it had fallen into disuse. Cobbett told them in the *Political Register*, vol. 87, p. 720, that—

“Mr. Ellman stated to a Committee of the House of Commons in 1821, that 45 years before that, when he became a farmer, every labourer in his parish of Glynde, where he lived, brewed his own beer, and drank it by his own fireside. Forty-five years back from 1821 takes us to 1776. At that time there was no tax on malt if made by persons for their own consumption. In the year 1783 this permission ceased.”

In the districts where the practice of cottage brewing was in force, the husband and sons of the woman who brewed the beer were among the most sober and respectable of the population, remaining at home in the evening with their families instead of going to the public-house. Where cottage brewing had disappeared, men were forced into public-houses, and were there led into temptations which attendance at such places gave rise to. Beer was increased in price about 100 per cent by this tax, and this increase in the price was a great inducement to adulterate it. China clay was first used in the cotton manufactures because of the high price of the raw material, owing to the American War, and so adulteration in beer was encouraged by the high price of malt. The high price of beer undoubtedly en-

couraged the drinking of spirits—a fearful source of evil. The man who got his glass of beer at home was not the man who would get drunk on spirits—or what were called spirits—sold at public-houses. Therefore it was in the interests of temperance and of the public health that he sought for the reduction of this tax, which would enable cottagers to brew a pure and unadulterated drink. He had been looked upon almost as a visionary for supposing that the country would ever go back to cottage brewing. *The Times* had done him the honour of ridiculing him in a leading article for some remarks that had fallen from him relative to cottage brewing when he introduced a deputation to the Chancellor of the Exchequer the other day in reference to this question. That article was doubtless written by a man who had lived in London all his life, and who knew nothing about the habits of labouring people in the country. The correspondent of that journal, who was engaged in collecting facts in connection with the lock-out of agricultural labourers, alluded in more than one of his letters to the fact that malt was given out in harvest time to the farm labourers, which they brewed themselves. Therefore the statement in *The Times* article was contradicted by *The Times* correspondent. Evidence was given before the Malt Tax Committee in 1868 to show that the farm labourers preferred beer to tea, and that they could work better on the former than on the latter beverage. A labourer from Playford, of the name of Elias Amos, gave the following evidence—



(Q. 4768.) "You think the people would prefer beer to tea?—I do.

(Q. 4769.) "Could they work better upon the beer?—Yes.

(Q. 4770.) "Is there no other reason why you think they would drink beer instead of tea? Would it not cost more to have a fire, night and morning, to make your tea?—Beer does you more good than tea.

(Q. 4799.) "I make good beer when I brew it for the harvest. I brew 2 bushels instead of 1½ bushels, and make the same quantity of beer in harvest. I want better beer when I work hard."

If our labourers did not drink beer, what were they to drink? He should be told tea. Our physicians were arriving at a very different opinion with respect to the wholesomeness of tea from what was entertained a few years ago, and they found that it was impossible for a man to undergo laborious exercise as well upon tea as upon beer. Thus Dr. Smith, the physician appointed by the Privy Council to inquire into the dietary of the poor, had reported that the continuous use of either tea or coffee was calculated to have an injurious action upon the brain. These were his words—

"The action of both tea and coffee, but particularly the former, upon the brain is well known. The importance of this action is not so well appreciated as it ought to be; but I am fully persuaded that it has a most injurious influence upon health and even upon sanity. Tea is hurtful in the absence of food after a long fast (as at breakfast), to the poor and ill-fed. It is not adapted to sustain exertion."—*Practical Dietaries*, by Edward Smith, M.D., one of the Physicians employed by the Privy Council to inquire into the Dietary of the Poor; and dedicated, by permission, to Mrs. Gladstone.

Then, again, we had the evidence of Dr. Simon—

"Unhappily, agricultural labour, instead of implying a safe and permanent independence for the hard-working labourer and his family, implies, for the most part, only a longer or a shorter circuit to eventual pauperism—a pauperism which, during the whole circuit, is so near, that any illness or temporary failure of occupation necessitates immediate recourse to parish relief."—*Seventh Report of Dr. Simon, the Medical Officer of the Privy Council*.

It was all very well for those who had plenty of meat, and who did not undergo much physical exertion, to do without beer; but to the hardworking and underfed labouring man it was an absolute necessity of life. But he was not alone in his condemnation of this tax. He was sorry the right hon. Gentleman the Member for Birmingham had left the

*Mr. Joshua Fielden*

House, for he, of all men, would recognize the opinions he was about to quote, and if the right hon. Gentleman were consistent he would certainly vote for his (Mr. Fielden's) Motion. Mr. Villiers, in 1839, said—

"Would the landed interest be willing, if the malt tax were taken off, to relieve the country from the tax on corn? For of this he was sure, that all those who were injured by the operation of the corn laws would be willing, nay, would be anxious, to get rid of the malt tax. By acceding to those terms, the produce of the malt tax would be lost to the revenue, no doubt; but £4,500,000 was a small sum indeed, compared with what might be raised through the medium of taxation if the energy of the country were allowed its full and natural play."

Lord John Russell, in 1846, said—

"If I were Prime Minister when protection to agriculture was abolished, the first tax I would repeal would be the malt tax."

The late Mr. Cobden said—

"We sympathise with the farmers. We will never tolerate one shilling duty on corn, but we will co-operate with them in getting rid of the malt duty. We owe the farmers something, and we will endeavour to pay them in kind."

And speaking as late as February, 1864, he said—

"It has often occurred to me to compare the case of the British agriculturist who, after raising a bushel of barley, is compelled to pay a tax of 60 per cent before he is permitted to convert it into a beverage for his own consumption, with what I have seen in foreign countries, and I can really call to mind nothing so hard and so unreasonable. I am quite sure that the cultivators of vineyards and the growers of olives in France and Italy would never tolerate such treatment of their wine and oil."

He agreed with Cobden that this was a most unfair tax. It pressed most unjustly and harshly upon one class of producers, and also upon the whole population of this country; and seeing year after year that the surplus revenue had been devoted to a reduction of duties on foreign articles, he thought it was high time we turned more of our attention to a tax on an article of home production and home consumption. The hon. Gentleman concluded by moving his Amendment.

MR. STORER, in seconding the Amendment, contended that a Government which had been raised to office by the agricultural classes would, by the course which they had adopted by their Budget, give very grave dissatisfaction. He had heard the right hon. Gentleman the Member for Greenwich (Mr.



Gladstone) say that the late Government was always keenly alive to the wants of the agricultural interests; but he (Mr. Storer) was not aware of it. This he was aware of, that the agricultural interests had been languishing, and that for many years grave burdens had been imposed on them. He regretted to see that those Members who ought to be now here were absent. Though the question had been long before the country, many persons were ignorant of how much this tax injured the agricultural community; and even the Press, which generally gave assistance to the down-trodden, did not do anything for the agriculturists. He hoped that when writers were better informed they would advocate the abolition or reduction of this tax, especially now that the Conservative party was in power, and when there was a good opportunity of considering the claims of agriculturists. They had an equal claim with the sugar refiners and the shipping interest, to any surplus of Revenue that there might be. The tax upon malt was said to be a consumers' question. He granted that; for the artizan and mechanic paid double the price he ought to do for his beer, and he wondered how it was that they submitted to such an imposition for so long a period of time. Perhaps, when colliers and others were obliged to return to their normal beverage of beer, they would inquire how it was that the price was doubled by the original tax of 50 per cent on the average price of barley for the last six years, as shown by the Returns, and by the necessary profit on that tax charged in increasing progression by the maltster, the brewer, and the publican. Next, the cultivators of the soil were large consumers of malt. Their consumption amounted to a tax of 6d. to 1s. per acre upon the arable land from which their corn was produced; that was to say, from 6d. to 1s. in the pound, upon their profits; but take it at 1s. in the pound, what trade, profession, or manufacture, he would ask, would tolerate such a tax—heavier than any income tax of late years—on their special productions? Beer was a beverage which farmers were compelled to consume, for without it they could not cultivate their lands. They might, in the midland and eastern counties, as well attempt to grow corn without beer as without horses or implements. Labourers, when coming for

harvest from all parts of the Kingdom, asked, as their first question, how much beer he gave to the acre; and if he replied "only milk or tea"—though they would accept these as extras—they would shoulder their scythes and walk away. And it should be remembered that farmers could not recoup themselves like coal-owners, and manufacturers, and others; they could not combine to raise the prices of their productions, but they were obliged to pay this iniquitous tax and suffer the loss which it entailed. Eminent farmers—Mr. Sanday, of Notts, particularly—in a pamphlet, read at a Notts Chamber of Agriculture meeting, and now quoted, Mr. Fisher Hobbs, and others, had stated that cattle would eat malt when they would eat nothing else, that the advantages of malt as an article of food for cattle were incomparable; and, therefore, that for the rearing of cattle, farmers ought to be allowed to use malt free of duty. The importation of barley, owing to failing crops abroad, had fallen off this year from 2,857,875 in six months ending March, 31, 1873, to 1,531,032 in six months ending March 31, 1874, and the home failure was great also, which accounted for the high price of barley this year: so that no argument could be based on that. If the duty were abolished a farmer would be enabled to give more beer to his men, and the argument that labourers ought to emigrate to those countries where they could get untaxed beer would be taken from the mouths of agitators who tried to cause dissension between the employer and the employed. The mechanic and the artizan got more beer than did them good, but the agricultural labourer generally got less than he ought to get. In his (Mr. Storer's) part of the country (South Nottingham) a small quantity of malt was given to agricultural labourers which they brewed at home. When they did not get enough malt to brew at home they resorted far more frequently than they ought to the public-house. Some Returns had been presented to Parliament showing the state of the beer and malt duties on the Continent and in the United States. Those Papers could lead to no other conclusion than that the English agricultural producer, consumer, and labourer were placed at a great disadvantage compared with their brethren abroad, inasmuch as in none of those coun-

tries was the duty, whether on malt or beer, at all equal to the English duty; and, in nearly all cases, the farmer and labourer were free to use malt for brewing or feeding cattle. Much had been said in that House about justice; but justice was not done to the farmers, and he hoped, unless justice were done to them, never to hear more of justice. He regretted the absence of the right hon. Gentleman the Member for Birmingham (Mr. Bright), because an appeal to him as a free-trader might well have been made on this occasion on behalf of the British farmer. The social aspect of this question must have struck everyone. It was well known to all who had investigated the subject that this was the real key to the temperance question. It was impossible to stop people drinking; but they might discourage the system of drinking ardent spirits by encouraging home brewing and the supply of better and cheaper beer, and this was illustrated most strongly in the report from Belgium, where Mr. Barron complained of the increase of intemperance, and use of ardent spirits since beer duties were increased. The Chancellor of the Exchequer feebly professed his regret to be obliged to raise so large a revenue from the consumption of spirits. On his forehead might almost have been seen the confession—

“Video meliora proboque;  
Deteriora sequor.”

But the right hon. Gentleman condescended to get up a cry. He could not but admire the consummate skill with which the Chancellor of the Exchequer had thrown his sugar bait across the right hon. Member for Birmingham, who had readily risen to the cry of “a free breakfast table.” If the right hon. Gentleman invited a cry he would give him a better one—“a free dinner table.” The working man was quite as fond of beer as of tea, and he would prefer to have the duty taken off his beer to having it taken off his sugar. In one of the classical productions of the Prime Minister, Tadpole and Taper were represented as rejecting the cry of “the Church and the Malt Tax,” and adopting that of “our young Queen and our old Constitution;” while in *Coningsby* there was a remark singularly applicable to the present time—that “all the country gentlemen knew of

*Mr. Storer*

Conservatism was that it would not repeal the malt tax, and had made them repeal their pledges.” The present Government was too strong to need a cry. It had been borne to power on the full tide of public opinion, believing that they would deal with these questions in a just and comprehensive spirit; and, although they might differ from them now, he hoped they would agree before long. It was, perhaps, too late now to expect an instalment of justice in the shape of a reduction of the malt tax; but he would appeal to the right hon. Gentleman at least to give some pledge that he would take it into his serious consideration with the view of abolishing at no distant date this obnoxious impost, which was a great burden upon an industrious and overburdened portion of the community; that he would do his utmost for the expurgation of this pestiferous tax, which had been condemned by the greatest authorities, past and present, and which was opposed to every principle of free trade, every dogma of political economy, every consideration of right and justice. The hon. Member concluded by seconding the Amendment.

#### Amendment proposed,

To leave out from the word “That” to the end of the Question, in order to add the words “in the opinion of this House, the Malt Tax ought to be reduced,”—(*Mr. Joshua Fielden*),—instead thereof.

Question proposed, “That the words proposed to be left out stand part of the Question.”

MR. D. DAVIES, having been a working man at the age of 14, bespoke the indulgence of the House while he opposed the Motion of the hon. Member opposite (*Mr. Fielden*). He had never had 6*d.* that he had not made himself. He had commenced life as a working man, and during the last 18 years had employed on an average 2,000 men, and he therefore claimed to be as good a judge as any Member of that House of the requirements of the working man. Not only had he acted as a working man for a considerable number of years, but he had mixed with them afterwards as the principal partner in a large colliery-owning firm where 2,500 men and boys were employed.

He went regularly amongst them every fortnight. He did not object to as much drink as was good for a man, if he required it at all; but three things he had noticed all his life promoted excessive drink—high wages, cheap beer, and convenient public-houses. Before 1870 he paid 4*s.* a ton for labour for the coal raised, or £100,000 a-year for 500,000 tons, and wages having advanced 50 per cent he should have paid between 1870 and 1873, 6*s.* per ton, or £150,000, but he actually paid £50,000 more in 1873 than in 1870 for the same amount of work. Instead of the coal costing £150,000 it cost over £200,000, so that here was £50,000 pure waste. How had that great loss arisen? From the irregular working of the men. There were other colliery owners in the House and they would bear him out in what he said. His coal was very good coal—it was one of the best coals in the world—but it was an expensive coal to work, and he would be borne out by other coal-owners in saying that the expense of the work was increased by irregularity. On Monday they raised about 1,000 tons, half the men only being at work, on Tuesday 1,400 tons, on Wednesday, 1,700 tons, on Thursday, 2,300 tons, on Friday the same amount, and on Saturday a like amount in proportion to the time of working. In consequence of this irregular working, employers were obliged to keep 25 per cent of stalls more than would otherwise be required to get the same quantity of coal, for if the men worked every day 75 stalls would do where 100 were now necessary. While the men were away drinking in the public-house the roof of the working was cracking, and the buttresses were giving way, and the preparations for carrying on the work had to be commenced over again. Hence the increased expense, and the waste. That was what became of the £50,000. But this loss was not the worst of it. An hon. Gentleman was about to propose that the employers should have to pay for injuries done to the workmen; but the fact was that three out of every four men who were killed lost their lives from this cause—irregularity of working. If we assumed that the drink system did as much injury to other trades as it did to coal mining, the loss to the country would be not less than £125,000,000 a-year. But, taking it at less than half that sum,

or £60,000,000, this meant that we had to compete with our neighbours on the Continent, where there was not that excessive drinking, with an annual waste of £60,000,000 on our side. Would it not be better that the capitalist should have £20,000,000 of this sum, and the workman and the consumer each a similar amount? If he had been ten years in the House and had been a bit of a statesman, the hon. Gentleman opposite would not have a single vote on his side. It was not the loss of the money that vexed him, but the misery which was brought on the men and their families. He was popular with his workmen; he had never any trouble with the Master and Servant Act, and no man of his had ever brought him into the County Court. What he wanted was to promote the well-being of everyone in the United Kingdom. But if the maltster, brewer, and publican drove things too far they would kill the goose which laid the golden eggs for them. The hon. Member apologized to the House for having risen to address it without adequate preparation. He would, therefore, only say that he would give his support to the proposition of the Chancellor of the Exchequer.

COLONEL BARTTELOT said, he was very glad to hear the remarks of the hon. Member for Cardigan Boroughs (Mr. D. Davies). They were fortunate in having among them a man who, by industry, integrity, and honesty, had raised himself to his present proud position to represent that class of the community whose interests he had so much at heart, and whose wants and wishes he was so well able to enforce. He (Colonel Barttelot) concurred with the hon. Member that public-houses and drink were the bane of the country. With reference to the immediate question under discussion, he had consistently advocated the reduction of the malt tax. He brought forward the subject on the 14th of April, 1864, when he moved a Resolution that—

“The consideration of the Duties upon Sugar be postponed until the House shall have had the opportunity of considering the expediency of the reduction of the Duty upon Malt.”

What was the division on that occasion? The ayes were 347, the noes 99. There was a majority of 248 against the reduc-

tion of the malt duty, and in favour of a reduction in the sugar duties of £1,900,000—about one-third of the malt tax. His hon. Friend (Mr. Fielden) had brought forward the question without consultation with any one, so far as he knew, and a Ministry which had just taken office was assailed upon its Budget by his hon. Friend. If his proposal was carried to reduce the malt tax by £6,000,000, or even the half of that sum, the money must be provided by the Exchequer, and what would then become of the Budget? Was his hon. Friend prepared to take on himself the responsibility of forming a Government? If not, he should have been more careful how he dealt with the subject at all. It would have been wise for his hon. Friend to consult with those who had fully considered the subject before rashly entering on a question of this kind. What forces had he at his command? He said he had never brought forward the question when the right hon. Member for Greenwich (Mr. Gladstone) was in power, because he knew he should have been hopelessly beaten; but had he asked himself whether he was not likely to be beaten on the present occasion? Would he have the support of those who were for the repeal of the brewers' licence or of those who were anxious to remove the tax on railways, to reduce the income tax, or to abolish the duty on horses? Had the question of the malt tax been mentioned when he was canvassing his constituents? Did he not know that, although when barley was at 30s. a quarter the farmers were anxious for the reduction of the malt duty, yet the question appeared very differently when barley varied from 47s. to 57s. a quarter—nearly the price of wheat? He did not disguise from himself the importance of the question; and he was sorry to find that the Chancellor of the Exchequer had given no reasons for not touching it, and if he had reduced it from 2s. 8½d. to 2s. per bushel the farmers would have been perfectly satisfied. The right hon. Gentleman lived in a county where the people paid no tax on the material of their drink, and he might have been more considerate for those who did; but, as the right hon. Gentleman the Member for Greenwich had truly said, they must have public opinion on their side, and a majority to go with them into the lobby.

*Colonel Barttelot*

He hoped his hon. Friend would not divide the House on the question. With a new Ministry just installed in office, with a Budget more or less accepted by the House and the country, it would ill accord with their usual practice, and tend to prejudice the interests his hon. Friend had so much at heart, to press to a division his vague Resolution. He hoped he would be satisfied with the discussion he had raised. He should support the Government.

SIR JOSEPH M'KENNA said, he thought the Amendment of the hon. Member put the issue before the House in a very simple form—namely, that, in the opinion of this House, the malt tax ought to be reduced. The hon. Member supported that view by the arguments the House had heard. He (Sir Joseph M'Kenna) ventured to say that in his opinion, for the reasons he would adduce, the malt tax ought not to be reduced. An examination of the operation of the malt tax would prove that, as a sumptuary tax it was one which rested very lightly on the class which alone it affected. He denied that it affected the farmers injuriously to any extent; but he was not about to go into that branch of the subject, which had been dealt with long ago. He believed there had been a public inquiry on the subject, and the conclusion arrived at, at the end of the inquiry, was that the farmers were not at all damaged by the tax in respect to the price of the articles they produced. His (Sir Joseph M'Kenna's) argument against the reduction of the duty stood on other grounds. The House should bear in mind that the brewers were manufacturers of alcoholic liquors to quite as great an extent, on the whole, as the distillers; and the House must treat this important subject consistently, and remember that the malt duty was practically the only tax which reached alcoholic liquors of a certain description. On an analysis which had been made long since—and although in a debate arising in this way he could not at once give authorities, still he pledged himself to the fact—it had been shown that whilst on whisky the duty was fixed at the rate of 10s. a gallon for every gallon of proof spirit contained in that liquor, which the Irish and the Scotch preferred to drink, the spirits contained in brewers' drinks, which were most consumed in England, paid a very small



duty indeed. He thought the hon. Gentleman who seconded the Amendment (Mr. Storer) stated that there were some in Scotland and Ireland who preferred to drink whisky; and they must take it as a fact that certain classes of the community and natives of certain countries did prefer whisky. Well, then, this was how the system worked. The duty on the alcoholic liquors which these persons consumed was at the rate of 10s. a gallon for every gallon of proof spirits contained in their whisky, whilst the tax which alone reached the consumers of beer operated as a tax of only 2s. a gallon on every gallon of proof spirit contained in their beer. The hon. Gentleman, in seconding the Motion, said that great delusions prevailed in that House on that important subject. He (Sir Joseph M'Kenna) agreed with him in that, and was astonished at the complaints which the House had heard from some hon. Members, that the right hon. Gentleman the Chancellor of the Exchequer had altogether omitted from his scheme the reduction or removal of the duties on the licences to brewers. That was a very trivial matter; but, whatever it amounted to, it did, perhaps, in that infinitesimal degree also affect the consumer, although, as he had said, the only duty which substantially affected the price was the duty on malt. He pledged himself to the House that it would be found on analysis that both duties amounted only to a duty of 2s. a gallon on every gallon of proof spirit contained in the liquors of the brewers. Now, that was the sumptuary tax which alone affected the great consumers of beer, nine-tenths of whom were residents in Great Britain; whereas the Irish, who he admitted, preferred to consume whisky were taxed at the rate of 10s. a gallon. The Irish preferred to consume whisky, probably, because they were not so well fed or so well clothed as the English working people, who could take their liquor in a cooler form, and in much greater quantity. The duty on alcoholic liquors affected the Irish consumers and the English respectively in the ratio of 100 to 20; and, therefore, not merely on the ground that it was inexpedient, as the hon. and gallant Member for West Sussex (Colonel Barttelot) said, but for the reasons he had stated, he opposed the reduction of the duty. The hon. Member who proposed the Resolution

(Mr. Fielden) hoped that he would obtain from the Chancellor of the Exchequer a pledge. He (Sir Joseph M'Kenna) hoped, if the right hon. Gentleman gave a pledge on this occasion, it would be a pledge to review the whole question of the duties on alcoholic drinks, and he (Sir Joseph M'Kenna) pledged himself to support any scale of duties, however high, which pressed equally on consumers of every class of alcoholic liquor.

THE CHANCELLOR OF THE EXCHEQUER said, he thought the question of the malt tax alone was a pretty considerable one. The question raised, not unfairly, by the last speaker of the whole incidence of taxation on alcoholic drinks was one of such portentous magnitude that it showed them at once how impossible it would be to deal summarily with a subject of that kind. He hoped the hon. Gentleman who had made that Motion (Mr. Fielden) would take the advice of the hon. and gallant Member for West Sussex (Colonel Barttelot)—than whom no man had fought more consistently for the abolition or reduction of that tax—and not go to a division at so unfavourable a time for his proposition. A great many topics had been brought forward that night which were well deserving of attention. For instance, the Secunder of the Motion (Mr. Storer) had referred to the Papers on the system under which the duty on beer and malt was collected in foreign countries. He confessed he had not made himself master of those documents, as it was desirable they should do before dealing with that question. It would be almost impossible to go, and there would be no advantage in then going, into a real and exhaustive discussion of the merits of the malt duty and its relation to the different taxes on spirituous and alcoholic liquors. But he admitted that if they were treating the malt tax it would be necessary to treat it in connection with the duties on spirits, wine, and to a certain extent also on tea. There was a great force in the remarkable speech of the hon. Member for Cardigan (Mr. D. Davies), showing the mischief done to the interests of the country by the unfortunate prevalence of drunkenness and indulgence in spirituous liquors among many of our working people, and no portion of the question affecting intoxicating drinks could be properly dealt with without giving full



weight to the considerations urged by that hon. Gentleman. But he wished to point out that the malt duty was a subject from the examination of which the Government had in the present year deliberately turned aside; and for this reason, that there were other matters of much greater importance, both for the agricultural interest itself and other interests, which had a prior claim on their attention. Although the question had that night been brought forward in one or two able speeches, yet it had not been fully argued and discussed, and it would be unfortunate if the House came to a vote upon it on the present occasion. Such a vote would be misleading, to some extent also embarrassing, and it would really settle nothing. It would be far better if the hon. Mover would follow the advice of the able tactician who had so long led the anti-malt tax army (Colonel Barttelot) and not press for a division. But if there should be a division, the Question about to be put was, whether the Speaker should leave the Chair that the House might go into Committee to consider the various propositions of the Government? If the Amendment was carried, and the Speaker was not allowed to leave the Chair, the financial proposals of the Government were, of course, put an end to, and it would be necessary to reconsider very seriously the position in which they stood, and the alterations that would have to be made in their proposals. He therefore trusted that the hon. Mover, unless he saw his way to the substitution of a financial scheme wholly different from that which the Government had brought forward, would reconsider his determination, and, resting satisfied with having introduced that subject in an able speech, not deem it necessary to insist on a division.

SIR GEORGE JENKINSON said, he was content with the statement that the Government had turned over the question this year, owing to their having been only a short time in office, and because they thought that greater questions had to be considered; but he, nevertheless, thought the time had come when the question of the reduction of the malt tax deserved consideration. He thought there were very few persons who would not agree in the proposition laid down in the Motion—namely, that the time had arrived when the malt tax ought

to be reduced. If the understanding was that the question should receive speedy consideration at the hands of the Government, he should hope that the Motion would not be pressed to a division. If his hon. Friend insisted upon going to a division he should feel bound to vote with him; but he entreated him not to take that course, because it would, under the circumstances, put them in the position of apparently voting against the Government.

MR. HENLEY said, he was one of those who always looked upon the question under discussion as one which affected the consumer, and, regarding it in that light, he thought it required great consideration. When, then, he was asked on the present occasion whether the Budget of a Government which was new to office—for that was the real question before the House—should be rejected in favour of a proposal such as that of his hon. Friend (Mr. Fielden) to reduce a certain tax, or whether the House should enter upon the consideration of the financial scheme which the Chancellor of the Exchequer had submitted to it, he should certainly feel it to be his duty to vote in favour of taking the latter course. The Motion of his hon. Friend not only raised, in his opinion, in a most unpractical way the subject of the malt tax, but endangered the attainment of the object which he had in view. The matter was not one to be knocked about as in a game of battledore and shuttlecock, and it was impossible, he contended, that a Government which had been but a few weeks in office could deal with the question so as to be able to arrive with regard to it at any just determination. For his own part, he had always thought that spirits, wine, and beer were legitimate objects of taxation—perhaps none were more so. Wine had been dealt with in regard to reduction of duty within the last 20 years, but such had not been the case in respect to beer. He should vote against the Motion of his hon. Friend, because he really believed that instead of forwarding the object he had in view, the only effect would be to thwart it.

MR. JOSHUA FIELDEN wished, in reply to the observations of the hon. Baronet the Member for Wiltshire (Sir George Jenkinson), to say that it was he who had advised him to take the course

which he had pursued. He felt it, he might add, to be his duty to go to a division.

SIR GEORGE JENKINSON said, that on meeting his hon. Friend that day he had begged of him either not to bring on his Motion, under the circumstances—if the bulk of the party being against it—at the present moment; or, if he did so, he hoped he would not press it to a division, for the reasons he had already stated.

Question put.

The House *divided*:—Ayes 244; Noes 17: Majority 227.

Main Question, “That Mr. Speaker do now leave the Chair,” put, and *agreed to*.

WAYS AND MEANS—*considered in Committee.*

(In the Committee.)

Motion made, and Question proposed,

“That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-four, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the sixteenth and seventeenth years of Her Majesty’s reign, chapter thirty-four, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties (that is to say):

For every Twenty Shillings of the annual value or amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B) of the said Act), the Rate or Duty of Two Pence;

And for and in respect of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act,

For every Twenty Shillings of the annual value thereof;

In England, the Rate or Duty of One Penny;

In Scotland and Ireland respectively, the Rate or Duty of Three Farthings;

Subject to the provisions contained in section twelve of the Act of thirty-fifth and thirty-sixth Victoria, chapter twenty, for the exemption of Persons whose whole Income from every source is under One Hundred Pounds a-year, and relief of those whose Income is under Three Hundred Pounds a-year.”

MR. LAING, in rising to move an Amendment substituting 3*d.* for 2*d.* in the pound as the rate of duty to be

charged as Income Tax, said, that he had put this Motion on the Paper as the most convenient form of raising a discussion on the point which he wished to bring before the House. He was not at all opposed to the Budget. On the contrary, he approved its main features. The excrescence upon it was the sanguine estimate of an increase of £1,500,000, in round numbers, and the necessary corollary which alone justified the reduction of the income tax from 3*d.* to 2*d.* His main objection to that proposal was that he did not think it safe or prudent to adopt the estimate of the Chancellor of the Exchequer, and to reduce the income tax by a penny in the pound. The rose-coloured compliments which had passed that night between the Ministerial and front Opposition benches would not count for much outside that House. The right hon. Gentleman (Mr. Gladstone) was committed to these Estimates as the sole justification of the proposal he had made to the country in January; and the Chancellor of the Exchequer, having accepted them on the responsibility of the Heads of Departments, and based his financial proposals upon them, was also committed to the Estimates. If, however, hon. Members went outside the charmed circle of official life, and asked the opinion of those who examined the aspect of the financial barometer of this country, they might form a different opinion. He did not wish to discredit the ability of the permanent heads of the Revenue Departments, with some of whom he had worked; but he dissented from the doctrine that the House should accept their Estimates implicitly, for its duty—one which it was peculiarly fitted to discharge—was to exercise an independent judgment upon them. There was no mystery about them, for any man of business could judge whether revenue was likely to be in the ascendant or on the decline. If the rise and fall in revenue, the Board of Trade Returns, the railway traffic, and wages were indicated by curves on sheets of paper, they corresponded, as a rule, very closely; and if the barometric curve of commercial prosperity became stationary or declined, the Revenue would soon follow suit. Estimates of revenue had not always proved correct, and it was the duty of the House to correct these aberrations. The right hon. Gentleman (Mr. Lowe) offered Estimates, he presumed,

with the advice of the Heads of Departments, which out-of-doors were deemed so absurdly low that nobody could understand his object, unless it was to punish the House for rejecting his match tax by imposing an additional penny income tax. The House not having the moral courage to correct them, the penny was imposed—and as the next year showed—unnecessarily. Sometimes, on the other hand, Estimates might be deficient, involving the re-imposition of taxes taken off the previous year, deranging trade and causing serious inconvenience, almost as bad as the paying too much for a single year. In point of fact, if they took the last 44 years, the Estimates had in 17 been deficient. The actual result of the revenue had shown a considerable deficit below the estimate. It might be said that they occurred a long way back. That was the argument used by the right hon. Member for Greenwich; but it would apply more nearly than was supposed to more recent periods. For example, in 1862, and again in 1868-9, there were deficits. In 1861, there was a deficit of no less than £1,764,000 below the Budget Estimates, and in the succeeding year there was another deficit of £618,000. Again, in 1868, there was a deficit of £369,000, and in 1869 a deficit of £558,000. Where should we have been had not the income tax furnished a ready means of meeting temporary deficiencies without serious impediment to trade? These deficits had happened with the late Prime Minister as Chancellor of the Exchequer and with the aid of the most distinguished heads of the Revenue Departments. As long as trade was prosperous and made sudden bounds, the Revenue would rise with it, but when it became stationary, the Revenue would become so also. No doubt there had been an increment of revenue if they took a certain number of years. If they took seven years or five years it was perfectly certain that the Revenue never stood higher than it did now. But if they took a single year no such result was shown. If trade declined, and wages diminished, it was impossible to believe that the Excise would keep up, and instead of a surplus they might find themselves with a deficit. That was the present state of things. The present state of things was that we had had three years of extraordinary prosperity. In 1870-1 the trade and

commerce of the country took extraordinary strides, and the Revenue naturally followed in their steps. Latterly, the Returns had shown a heavy falling off. In the first place, the rate of progression had diminished, and at last we had reached a point when the Returns no longer showed an increase on the preceding year, but were as nearly as possible stationary. The exports were the best criterion, the imports being largely affected by accidental circumstances, and some of the cases referred to by the Chancellor of the Exchequer to show that the consumptive power of the country was keeping up proved nothing of the kind. If we had imported more articles of food, it was due to a succession of bad harvests, while the exports, which the imports must, in the long run, follow, had become stationary. In 1871, they amounted to £223,000,000; in 1872 to £256,000,000; and in 1873 to £275,000,000. In the last quarter of 1872, they were £65,646,000; while in the last quarter of 1873, they were £61,397,000, so that the exports were actually diminishing. If they looked at the railway traffic, which was a very good guide to the real condition of the country, they would find the same thing. They would find the railway traffic taking an extraordinary start in 1871-2; but in the latter part of 1873 it began rapidly to decline. It had been going down rapidly ever since, and had now reached a point where scarcely any of the railways of the kingdom showed any increase at all. Take such a line as the Brighton, with which he was connected. It was a very good barometer to test the actual condition of the Metropolis. When the working men were earning high wages, they would run down to Brighton, and there would be an increase of traffic; but when there was a falling off in earnings, there would be a corresponding falling off in the traffic. At this time it was practically stationary. No one could fail to observe that the extraordinary increase of Revenue in the last three or four years had arisen mainly in the Excise through the consumption of the working classes. That remarkable speech which they heard with so much pleasure from the hon. Member for Cardigan (Mr. D. Davies), so worthy a representative of working men, and one whom they were glad to see in that House, showed that one result of high wages

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was that the men, having more money did less work—that there was more idleness, more drinking, and the money they earned went to swell the public Excise Returns; and, further, that instead of observing St. Monday, they frequently observed St. Tuesday, and sometimes the half of St. Wednesday. Their doing so, of course, led to an increase in the consumption of excisable liquors. There was, however, a certainty that the wages in those departments of labour were coming down, and largely. He had seen it stated that in one of the principal mining districts of the North of Scotland a question had been raised of a reduction of wages to the extent of 40 per cent. Now, whether the reduction was 40 per cent or 10, 15, or 20, to be followed some time hence by a like reduction, the result would be a declining Revenue. Anyone acquainted with the state of the iron trade must have known that a reduction of wages was necessary, or the iron trade, which was being worked at a loss, would be lost to us and go into the hands of foreigners. The same observation was applicable to Northumberland, Durham, and Wales. Workmen would receive 20, 30, or 40 per cent less money, and work 20, 30, or 40 per cent more time, and would have little time or money to spend in the public-houses. Was, this, then a time to calculate not only on an equal amount of Revenue being received for the ensuing year as was received last year, but even to count upon an increase of £918,000? Well, wonders, of course, might come to pass. The elasticity of the country was wonderful. The expectation might be realized; but among men of business out of doors, who were not pledged by any political antecedent, the general opinion—he thought the general opinion—would be found to be that it was rather a bold course to take the Revenue of last year, without addition, as an Estimate for the Revenue of the coming year. If he were responsible for the finances of the country, he, for one, would not have done so. As to making any addition, he should never for a moment, under present circumstances, have thought of it. So much for the question of fact. It was also a question of principle. Even if, by a piece of good luck, the right hon. Gentleman got out of the scrape he would be in if there were a deficiency, and

supposing his hopes were realized, was it a prudent thing to run the Estimates so fine that it was a matter of doubt whether there would be a deficiency or a surplus? Should they depart from the old principle of not including the annual increment of Revenue in the Estimates, but of keeping on the safe side, so that in bad years they would not be landed in a deficiency, and in good years they would have a surplus? That was the old-fashioned principle, and was it, in the first year of a Conservative Government, to be departed from, and the new principle introduced of living up to the last penny? That opened up a large question, in which many Members of high financial authority took a deep interest—namely, the reduction of the National Debt. He was himself a very disinterested witness in the case, for he had always opposed the extreme course of keeping up taxation for the purpose of paying off Debt. He recollected when the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) told them that their coal-fields were being exhausted; that it was a duty they owed to posterity to reduce the Debt; and that it was a disgrace to this country not to follow the example in that respect of our cousins in America; and the upshot would have been the imposition of probably not less than £5,000,000 of taxation, for the purpose of reducing the National Debt. He (Mr. Laing) thought it his duty thus to comment on the proposal made, as he was in favour of creating a moderate amount of Terminable Annuities rather than maintaining burdens on the people and pressing upon the springs of industry, for the purpose of paying off the National Debt. Now, however, a step was about to be taken in the opposite direction. The result, according to the Chancellor of the Exchequer, of adopting the old Conservative principle of finance, had been that we had reduced the National Debt since 1842 by the very respectable figure of nearly £70,000,000 capital, with a certainty that £50,000,000 more would go in 1885. That was, he thought, a very creditable and satisfactory result. He did not want to see the rate of reduction accelerated; on the other hand, he did not wish to see it retarded, and still less was he in favour of its being abolished. Within 10 years the reduction had amounted to £19,400,000,



or nearly £2,000,000 a-year, independently of the reduction that would be effected by Terminable Annuities. He called that a fairly satisfactory result, and wanted to know why they were to depart from that Conservative policy, and inaugurate a system of estimating up to the last penny? The Chancellor of the Exchequer had on this subject uttered some very excellent sentiments in his Budget speech, but his practice had not been in accordance with his precept, for, instead of making provision for a moderate reduction of the Debt, he had taken off a penny of the income tax, on which tax they must rely for making any serious impression on the Debt. The question now involved was whether the principle of making any attempt to pay off the National Debt by direct payment was to be renounced. The manner in which the £500,000 was to be applied to the extinction of a portion of the Debt by means of Terminable Annuities was a mere matter of book-keeping. Under the old system it went to capital account; under the new system it went to revenue account. The main point was, that for the sake of obtaining a little temporary popularity, the Government were about to give up a penny of the income tax and to run the risk of having a deficit at the end of the year, which was equivalent to saying that no further attempt was to be made in the way of paying the National Debt. The system introduced by the right hon. Member for the London University (Mr. Lowe), under which the income tax had to be paid in one sum at the beginning of the year, instead of by four quarterly payments, was most inconvenient, not only to the tax-payer but also to the commercial community, inasmuch as it occasioned the balances at the Bank of England to be unnecessarily large at the commencement of the year, when there was but little demand for money, and depleted them in the autumn, when there was generally a great drain upon our resources. Some time or another the result of this course would be to create a panic, which would do much more harm to our Revenue than we should derive good from following it for half a century. But, besides those general arguments, there were some special arguments which, in his opinion, ought to induce the Government to pause before they parted with so much revenue as was re-

*Mr. Laing*

presented by a penny of the income tax. In the first place, there was the great question of local taxation before them. The Chancellor of the Exchequer had told them that this would be the greatest financial question of the future, and that a number of the most important social and sanitary questions depended upon our system of local taxation being placed upon a satisfactory footing. What had been done this year in reference to this subject was undoubtedly a step in the right direction, but it had only touched the fringe of the matter, and next year a very large question would have to be dealt with. The annual sum raised by direct local taxation amounted to £20,000,000, and in adjusting taxation to that amount it might be necessary to call upon the Imperial Exchequer for a considerable sum in order to do what justice and expediency might require. But how was this question to be dealt with next year if the sanguine estimates of the Government were not realized, and if, instead of there being a surplus, there was a deficit? Even supposing there were an equilibrium between the Revenue and the Expenditure, new Imperial taxation to meet the demands occasioned by the re-adjustment of the burdens of local taxation could not be imposed without considerable difficulty. Whereas, if the penny on the income tax were retained, such re-adjustment might be met without difficulty. But if the penny were given up, it could not be re-imposed without setting class against class and interest against interest. Therefore, by giving up the penny on the income tax the Government were precluding themselves from dealing with this great question with a free hand backed by a full Treasury. The Government would also have to face next year another question of equal importance—that of the state of our Navy. It produced a very uncomfortable feeling in his mind when he heard the new First Lord of the Admiralty state that our Navy was in such a condition that it was scarcely better than a paper fleet, and that out of our 37 iron-clads only 14 were fit to go to sea. And he felt still more uneasy when all the late First Lord could say was that things, after all, were not quite so bad as they had been represented, and that if the late Government had left the country with a deficient fleet they had left it a surplus in its Treasury. Under



these circumstances, while advising the Government not to take any spasmodic action in the matter, he should recommend them to take such action next year as would put our fleet in an efficient condition. It would be better to have ten efficient iron-clads, than to rest contented with the false security of a paper fleet which could not be sent to sea in case of danger. He did not think the Government were at all likely to set aside on the Monday the Budget they had brought forward on the Thursday; but, at the same time, this question of the efficiency of the Navy would have to be met next year, probably by an increased charge, as well as that relating to local taxation. If the income tax was to be repealed, let it be done openly, and let the country be made aware what taxes were to be substituted for it. But where was a tax to be found equally elastic, and with which, without disturbing trade, a deficiency, should it occur next year, could be so easily remedied? Was its repeal to be followed by an increase in the assessed taxes, as the right hon. Member for Greenwich (Mr. Gladstone) had foreshadowed? If so, he should like to know what was to be the amount and what the nature of those assessed taxes which were to be the equivalent of £5,000,000 or £6,000,000 of income tax. If, again, the income tax were done away with, how was taxation to be equalized among the different classes of society? It had been laid down as a first principle of taxation by the right hon. Member for Greenwich, that trade, real property, and labour, must be taken into account, and the burdens of taxation fairly apportioned between them. How was that to be done if the income tax were abolished? Every statistical writer who had studied the question would say that the income tax was the great equalizer of taxation among the various classes of the community; and if it were done away with, would not our system of taxation press unduly on the great mass of the people, and furnish agitators with the argument that the higher classes shirked their fair share of the national burdens? He wished the House, he might add, to take a warning from what had occurred in the case of sugar. He did not mean to blame the Chancellor of the Exchequer for abolishing the duty on that great article of consumption; but it was the policy of the right hon. Gentle-

man the Member for the University of London (Mr. Lowe), who reduced the duty  $\frac{1}{2}$ d., and, saying that it was never to be reduced again, diminished it another  $\frac{1}{2}$ d., which had led to that result. When the sugar duties were reduced  $\frac{1}{2}$ d. for the second time, everybody felt that they had been killed, and that it was not worth while continuing the annoyance connected with them for the sake of the revenue which they yielded. So it would be with the income tax; and what, he should like to know, would be the answer of the Government to persons who argued with respect to it in that way? For these reasons he wished it had been open to him to take the opinion of the House on the proposal of the Government to reduce the tax. Of course he could have no great hopes of success if he were to take the opinion of the House. When a Government proposed to remit a tax, and more especially when there was a consent between the Leaders of the two benches as to that course, there was little chance for a private Member—[“Divide,” “Order.”] Notwithstanding that, he had felt it to be his duty to bring the matter forward. He should not trouble the Committee to go to a division; but he trusted that the Government would take the question duly into consideration; and if they did so, and acted upon it, they would find next year that he had been their best friend. At any rate, the first thing the country would naturally look for from a Conservative Government was Conservative finance.

MR. WHEELHOUSE hoped that to whatever other determination the Committee or the House itself eventually might come, the proposal now made by the hon. Member for Orkney (Mr. Laing) would find no favour whatever. He (Mr. Wheelhouse) did not hesitate to say, that for years he had been most anxiously desirous of seeing the income tax—more especially so much of it as was involved in Schedule D—totally abolished. For the first time, since the days of Sir Robert Peel, we had now a Revenue, unaided by income tax, amply sufficient for the estimated Expenditure of 1874-5, as the nucleus of our present year's financial operations. That Expenditure, as estimated, amounted in the aggregate to £72,503,000, and the Chancellor of the Exchequer, as he (Mr. Wheelhouse) understood the right hon.

Gentleman, anticipated that there would be savings from his proposed Army Purchase Vote, sufficing to cover any probable Supplementary Estimates. Now the various items of ordinary revenue, including income tax, taking the whole in a sort of tabulated form, from Customs down to Miscellaneous Estimates, as he (Mr. Wheelhouse) made out, amounted to £72,495,000, beyond which the Chancellor of the Exchequer calculated upon receiving £500,000 for interest and the due repayment of advances, to which, again, must be appended a further sum of £900,000 of uncollected income tax to be carried to the account of the current year, thus producing altogether an estimated Revenue of £73,895,000, or in other words, leaving a financial surplus of £1,392,000 above the Expenditure, and that without any new income tax being at present imposed, or even asked for. Let it be remembered that these were the calculations and figures of the Department itself, and he (Mr. Wheelhouse) must confess that it seemed to him, the Chancellor of the Exchequer had provided—though, no doubt, with great foresight—a much larger “sinking fund” to meet possible contingencies than our prospective requirements were at all likely to demand. If it were really impossible at present to abolish the impost entirely, he trusted he might be permitted to observe that he, for one, believed the unconditional repeal of this tax—one imposed for a temporary exigency only, originally—would be looked upon by all classes of society as an inestimable boon. To keep it up at 2*d.* only was in his opinion to render it scarcely worth the cost of collecting, and it had far better go “at once and for ever.” But, be that as it might, he earnestly hoped that if not now, at all events before long, they would recur to the doctrine which he would venture to remind the House had been laid down by nearly every Chancellor of the Exchequer, and, indeed, by the vast majority of English statesmen for many years past—namely, the plain, sensible, obvious, and straightforward principle, that while the income tax should be held in the armoury of reserve for special exigency, it should never be used as an instrument by means of which the fair, legitimate burden of general taxation should be removed from the shoulders of one portion of the community, in order

*Mr. Wheelhouse*

to place it on those of another, often far less able, really, to bear the onus of it. Again he repeated that he, for one, earnestly trusted that the day was close at hand when this tax, at once so burdensome, so inquisitorial, so oppressive, and so obnoxious in every way, would be totally and unconditionally repealed. He would only make one single further remark. He desired to repeat in that House what he had taken occasion more than once to say elsewhere—and he was sorry not to see the right hon. Gentleman the Member for the University of London (Mr. Lowe) in his place, on the front bench opposite, that he might hear the statement. He (Mr. Wheelhouse) was one of those who believed that any such accumulation in the shape of a single years' surplus, as three or four millions of money, notwithstanding, even, that it might be attributable in some measure, to a period of unexpected and unexampled financial prosperity, practically demonstrated, in the plain and homely language of Yorkshire, something savouring very strongly of “extremely bad finance,” because to have procured anything like that amount, it was abundantly clear that a sum of money, unusually and needlessly large, had been extracted from the pockets of the already overburdened taxpayer.

SIR JOHN LUBBOCK called the attention of the Chancellor of the Exchequer to the inconvenience of the present system, under which the Income Tax Act was passed for only a year ending on the 5th of April. As the financial year closed on the 31st March, and the Budget, therefore, could not be taken before that date, there was almost always an interregnum during which no income tax could legally be levied, and, though the Act rendered any dividends which might be paid during that period liable to such an income tax as the House might subsequently impose, the system was very inconvenient, and must involve a loss to the Exchequer. On the present occasion the dividends on the Public Funds themselves were paid on the 8th of April; but he did not quite understand, if they were due on or before the 5th, under what authority the payment was deferred until the 8th; or, if they were not due till the 8th, on what authority any income tax was deducted. But, however this might be, the dividends on

several stocks—for instance, the Turkish Six per Cent of 1854, the Turkish of 1871, the Egyptian Seven per Cent of 1873, one of the Russian loans, and others had been paid without any deduction of income tax, and though, no doubt, the Act would give the Government a legal right to recover the amount, still, as a matter of fact, it would be difficult, if not impossible, to do so, and there must consequently be a loss to the Exchequer. In other cases 3*d.* in the pound had been paid; whereas the Resolution was only for 2*d.* in the pound. He would therefore ask the right hon. Gentleman to consider whether it might not be desirable to continue the tax for a year and a month, instead of a year, so that it should expire, not on the 5th of April next, but on the 5th of May, by which time, in all probability, the financial arrangements would have been concluded. In this manner he believed some uncertainty and inconvenience would be spared, and considerable loss to the Exchequer would be avoided.

MR. HANKEY corroborated the statements of his hon. Friend, and hoped the right hon. Gentleman would accede to the suggestion.

THE CHANCELLOR OF THE EXCHEQUER recognized the disadvantage and inconvenience to which attention had just been drawn, and promised to consult with the officers of the Revenue in regard to it. An hon. Friend of his, who was very acute in such matters, had suggested a difficulty by asking at what rate the tax would be levied for one month—whether at a twelfth part of 2*d.*, or how? Perhaps the hon. Baronet would allow him to consult him privately on the subject.

MR. HORSMAN acknowledged that although the Chancellor of the Exchequer had begun his speech in the earlier part of the evening with something like an apology for the undue prominence he had given to the Departmental officers who had assisted in the preparation of the Estimates, he had nevertheless followed it up with an explanation which seemed entirely satisfactory. The House ought not to be called upon to accept the opinions of the Revenue officers as to the Estimates with which Parliament had to deal. It was wrong, indeed, to apply the word “estimate” to what they laid before the Chancellor of the Exchequer. They gave him facts which he,

as a statesman, had to scrutinize and to judge. He was supposed to have a higher financial knowledge, a stronger grasp of financial questions, than they, and when he submitted their facts and figures to Parliament, they became the Estimates of the Government. After the explanation of the right hon. Gentleman, they might regard the course which had been followed this year as exceptional, and might hope that in future the officers of Departments would not be brought forward in the same prominent manner. With reference to the income tax he would remark that there had been no disposition on the Opposition benches to criticize unfavourably the proposals of the Chancellor of the Exchequer. The circumstances of his position were such as to entitle him to great forbearance and indulgence, on one condition—namely, that the Budget contained no reactionary finance. In point of fact, the Budget was marked by great simplicity and common sense, and these qualities had made it generally acceptable to the House and to the country. He protested against the doctrine of the hon. Member for Orkney (Mr. Laing), that there should always be a respectable surplus to be applied to the reduction of the National Debt. The hon. Member said that the income tax was the basis of our whole financial system—the thing to which we owed surpluses, remission of taxation, and reduction of Debt. Everybody acknowledged the income tax to be a most objectionable tax—it was inquisitorial, it was immoral—[“Oh, oh!”]—yes, it was, because the assessment was placed on a declaration made by the taxpayer, and it did not matter whether the taxpayer was a man of high character or of no character at all; and it was an unequal tax, because it taxed the clergyman as much as it did the capitalist. It was true that Sir Robert Peel had introduced it for another purpose than as a war tax. The object was to relieve the finances of the country under exceptional circumstances and to re-adjust taxation either on account of war or as a means of re-adjusting taxation the income tax had been asked by Government and given by the country, and if it was not required for one or the other of these purposes, it ought in good faith to be repealed. He agreed with the hon. Member that it was good finance to have a safe and moderate surplus. If asked

whether he would prefer a deficit of £500,000 or a surplus of £3,000,000 or £4,000,000, he would say that it was sounder and better to have the small deficit and to make up for it by taxation than to have a surplus of several millions applied to purposes which the country had never sanctioned or intended. His hon. Friend said they ought to have a safe surplus for the purpose of reducing the National Debt. If the country was to be taxed with a view to the reduction of Debt, let that fact be distinctly recognized and understood, and let it not be said that a surplus was applied to that object in a sort of surreptitious manner.

LORD ESLINGTON expressed regret that the Chancellor of the Exchequer had come to a resolution to give up a penny of the income tax, and wished that the right hon. Gentleman had made up his mind to retain it. He (Lord Eslington) denied that the surplus was attributable to the income tax. He was not aware that any particular tax was appropriated to any particular purpose and it was the general prosperity of the country rather than any special source of revenue that gave us the surplus. The right hon. Gentleman (Mr. Horsman) said the income tax was an immoral tax. It might lead to cases of fraud in some few instances; but that was no reason for thus describing a tax which was an enormous engine of power in the hands of a wealthy country like this, which the right hon. Gentleman himself admitted to be the basis of our financial prosperity, and which he (Lord Eslington) should be exceedingly loth to part with. He thought the Chancellor of the Exchequer would have acted more prudently if, before proposing a reduction of the income tax, he had taken stock of the great spending Departments; and, after informing the House what that stock was, have left it to them to say whether it was such as to justify the parting with this revenue.

MR. HORSMAN: My noble Friend takes exception to my statement that the surplus was owing to the income tax. May I ask him how he made his calculation, and where the surplus would be without the income tax?

SIR JAMES LAWRENCE moved as an Amendment to the Resolutions of Mr. Chancellor of the Exchequer in regard to the Income Tax:—

*Mr. Horsman*

"That the exemptions provided for in the twelfth section of the Act 35 and 36 Victoria be extended to persons whose incomes do not exceed £200 a-year; and that from all incomes above £200 a-year, and not exceeding £500 a-year £100 be deducted before the Tax is charged."

The hon. Baronet strongly objected to the inhabited house duty, and maintained that it fell upon the occupier instead of on the landlord. It might not be known to the Members of the House of Commons now assembled that the main reason why the dwellings of the working classes were not improved was owing to the maintenance of the inhabited house duty. It was evaded in many instances by leaving out the front door leading to many dwellings. With respect to the Peabody Trustees, all their exertions in behalf of the working classes were small as compared with the benefits that would result in the improvement of dwellings if the inhabited house duty was done away with. He had been asked what has the inhabited house duty to do with the income tax? He maintained that it was an income tax in another form. It was a property tax paid by the occupier and not by the owner; and it was desirable, for sanitary purposes, to repeal it. He would remind the Committee that when Sir Robert Peel originally imposed the tax, incomes of £150 a-year were exempted. It could not be denied that the income tax pressed most severely upon clergymen, clerks, and others having means not exceeding £200 or £250 a-year. Even the prosperity of which so much had been spoken was of no advantage to persons with small fixed incomes, inasmuch as, without any increased means, they had to pay higher prices for all the necessaries of life. He believed that outside the House three men out of every four would regard the Amendment of which he had given Notice as an attempt in the right direction to effect an equitable adjustment of a tax which pressed harshly and unequally on different classes of the people.

Amendment proposed,

To leave out from the words "Subject to the provisions," to the words "Three Hundred Pounds a-year," in order to insert the words "That the exemptions provided for in the twelfth section of the Act of thirty-fifth and thirty-sixth Victoria be extended to persons whose Incomes do not exceed Two Hundred Pounds a-year; and that from all Incomes



above Two Hundred Pounds a-year, and not exceeding Five Hundred Pounds a-year, One Hundred Pounds be deducted before the Tax is charged.”—(*Sir James Lawrence.*)

Question proposed, “That the words proposed to be left out stand part of the Question.”

MR. SANDFORD explained that one reason why he did not persevere with the Motion of which he had given Notice was that a Chancellor of the Exchequer who had been only six weeks in office could not be fairly called upon to consider the whole question. If, however, the hon. Baronet pressed his Motion to a division he should vote with him, although he must not be held responsible for the result of the division.

THE CHANCELLOR OF THE EXCHEQUER: The few words which have fallen from the hon. Member for Maldon (Mr. Sandford) go far to explain the position in which we stand with regard to the Amendment—namely, that it is opening a very large question, which it would be difficult, if not impossible, to settle at the present moment. I do not say much of the effect of the proposal of the hon. Baronet opposite (Sir James Lawrence). I believe its effect financially would be measured by about the sum of £240,000; and that would, of course, very materially diminish the surplus which I have left. On that ground alone I should feel a difficulty in assenting to it; but the real ground on which I advise the Committee not to assent to the Amendment is as follows—namely, that it is opening a very delicate and important question with which we are hardly at the present moment in a position effectually to deal. The hon. Baronet has reminded the Committee that when Sir Robert Peel originally imposed the income tax he exempted incomes below £150; but he did not also remind the Committee of the fact that some years afterwards the late Prime Minister, when Chancellor of the Exchequer, carried the tax to a lower stratum—namely, to the sum of £100 a-year, and that he did so on the ground that it was right to make a proper balance between the wage-receiving classes and the salary-receiving classes. Now, when you come to so delicate a question as that—as to where the wage-receiving class ends and the fixed income class commences—it is obvious you had better not touch the subject without full con-

sideration; because it would be a grave question how to adjust the tax so as not to press unfairly upon any class. The Government have decided on adjourning the whole question of the maintenance of the income tax and its incidence till they can consider it more at leisure and more in connection with the rest of the financial system. Therefore, I deprecate any attempt to alter its incidence at this moment. I do not, however, wish to express any opinions adverse to the sentiments of the hon. Baronet opposite, for I grant that there is a great deal to be said in favour of his proposal, though I am not prepared to accept the exact figures he names, or even the principle that exemption ought to be carried any further. I hope we shall not be asked to go to a division on this question; because I think it would be an embarrassing and inconvenient vote which would rather prejudice the fair consideration of the question at the proper time. With regard to the other question which has been mooted by my hon. Friend the Member for Orkney (Mr. Laing), it is one into which I need not now enter. I accept with great respect the opinions of so high an authority as I freely acknowledge the hon. Gentleman to be; but I do not altogether share the views he expressed, and I am bound to say that, after consulting the best authorities on the subject, and having formed my opinion upon the best information I can obtain, I arrive at the conclusion that we may fairly put the Estimates at the amounts which we have taken. If the House likes to devote a larger proportion of the surplus we believe we shall have, openly, to the payment of Debt, I shall have nothing to say against it. But, having arrived at the conclusion that our Revenue will reach such and such a sum, it would not be right to underestimate that Revenue in order to cheat the House into allowing us a larger surplus.

MR. WHITWELL said, he was gratified at the large concession which had been made to the ratepayers in the reduction of local burdens; but he asked the Chancellor of the Exchequer to do the same with respect to persons of small income who had to pay this tax.

Question put.

The Committee *divided*:—Ayes 255; Noes 139: Majority 116.

Original Question put, and *agreed to*.



Motion made, and Question proposed,

"That, on the first day of January one thousand eight hundred and seventy-five, the following Duties of Excise shall cease to be payable (that is to say):—

"On Licences to keep Horses or Mules;

"On Race Horses;

"On Licences for exercising or carrying on the trade of a Horse Dealer."

MR. CHAPLIN suggested that it would be a great convenience, unattended by corresponding disadvantage, if the date were changed to the 1st of July next.

MR. PELL moved to report Progress, as he wished to have an opportunity of raising a discussion on Imperial and local taxation.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(Mr. Pell.)

THE CHANCELLOR OF THE EXCHEQUER hoped the Motion would not be pressed, as the Report of the Resolutions would afford a fitting opportunity for the desired discussion.

Motion, by leave, *withdrawn*.

Original Question again proposed.

THE CHANCELLOR OF THE EXCHEQUER undertook to consider the suggestion of the hon. Member for Lincolnshire (Mr. Chaplin), and, if it could be acceded to, the Resolution could be amended on the Report.

SIR GEORGE JENKINSON said, if this course were adopted it followed that he must move the Amendments which stood on the Paper in his name—namely—After "that on" insert "and after;" after "Excise shall," leave out "cease to;" after "be payable," insert

"to local funds of counties or boroughs, and shall be applied by local authorities in aid of the expenses of maintaining turnpike roads of which the trusts have become, or may hereafter become, extinct."

The hon. Baronet said, that the argument, that the revenue could not be spared, formerly used against the transference of these licences to the local authorities, could not now be used, because the Government were proposing to do away with the licence altogether. He asked that they should be continued, at all events for the present year, with the view of further consideration as to the

maintenance of turnpike roads. By the expiration of the turnpike trusts an additional sum of nearly £1,000,000 would fall upon real property, and as this sum of £480,000 was derivable from a tax mainly on personal property which was already insufficiently taxed, he asked whether it was reasonable that so large a sum, which nobody had asked for or wanted, should be thrown away when it might be retained for the purpose of being used in the re-adjustment of one very considerable item of local taxation.

Amendment proposed, to insert after the words "That on," the words "and after."—(Sir George Jenkinson.)

THE CHANCELLOR OF THE EXCHEQUER said, he thought the two grounds on which his hon. Friend had urged this Amendment were not very consistent with each other. His hon. Friend thought the Government were rather rash in throwing away this large sum of £480,000, which he said nobody had asked for, and which the revenue could hardly spare; but, at the same time, he did not propose to husband the sum for Imperial purposes, but to give it away to the counties for the benefit of turnpike trusts.

Question, "That those words be there inserted," put, and *negatived*.

Original Question put, and *agreed to*.

*Resolved*, "That, on the first day of January one thousand eight hundred and seventy-five, the following Duties of Excise shall cease to be payable (that is to say):—

"On Licences to keep Horses or Mules;

"On Race Horses;

"On Licences for exercising or carrying on the trade of a Horse Dealer."

THE CHANCELLOR OF THE EXCHEQUER moved—

"That, towards raising the Supply granted to Her Majesty, the Duties of Customs now charged on Tea shall continue to be levied and charged on and after the first day of August, one thousand eight hundred and seventy-four, until the first day of August, one thousand eight hundred and seventy-five, on importation into Great Britain or Ireland (that is to say): on Tea . . . . . the lb. 0s. 6d.

Resolution *agreed to*.

THE CHANCELLOR OF THE EXCHEQUER moved—"That it is expedient to amend the Laws relating to the Inland Revenue."

Resolution *agreed to*.

MR. J. W. BARCLAY moved—  
 “That it is expedient that the Gun Licence Act, 1870 be repealed.” The hon. Member observed, that if the Motion were carried, it would not materially affect the financial arrangements of the Chancellor of the Exchequer, for the amount of revenue received from this tax exceeded by very little £60,000 per annum. The tax which they had now under their consideration was introduced by the late Chancellor of the Exchequer, and it was imposed not so much for fiscal purposes as a matter of police regulation. It was surely absurd that the farmers should have to take out this licence for the protection of their crops. It might be said that there was an exception in favour of the farmer, but that exception was so couched as to be practically useless. Of late years the rooks had increased to such a large extent that in many parts of Scotland it was necessary to employ a lad for protection of the crops. These birds would attack the crops at various seasons of the year, so that it was necessary to have a lad maintained all the year round, and it was very easy to understand that the farmers, when they saw the damage sustained from the rooks, should naturally associate that damage with the late Chancellor of the Exchequer. Speaking from his own knowledge of many country districts in Scotland, he could say that this tax had had no small effect in bringing about the change of parties in that House. He also objected to this tax upon a national ground. He thought it was extremely desirable that all the inhabitants of this country should be accustomed to the use of firearms. If they felt themselves stronger in the use of firearms, they should have less fear of invasion, and consequently they would not, as now, be subjected sometimes to invasion panic.

Motion made, and Question proposed,  
 “That it is expedient that the Gun Licence Act, 1870, be repealed.”—(Mr. James Barclay.)

LORD CHARLES BERESFORD maintained that to repeal the Act would occasion great loss of life, as many guns would be used which would be far more fatal to the shooter than to the object aimed at. Tax collectors and other unpopular persons would not be safe, and many Members who now had seats would

never have enjoyed the confidence of the constituencies they represented had the Act not been in force. There was one Member at least in that House who would not long represent a constituency if the tax were repealed.

GENERAL SIR GEORGE BALFOUR suggested that, as there was a certain similarity between the tax on dogs and the gun tax, it would be well that the two imposts should be considered together.

THE CHANCELLOR OF THE EXCHEQUER said, the question had been raised in a manner which took the House by surprise. It had not been brought under his—the right hon. Gentleman’s—notice very much before this evening. Under the circumstances, he should like to have more time to consider the matter. He did not look upon it as a fixed question.

CAPTAIN NOLAN contended that the question was a fixed one. There was a great amount of damage done to crops through the want of firearms in the agricultural districts.

Question put.

The Committee *divided*:—Ayes 48; Noes 256: Majority 208.

Resolutions to be reported upon *Monday* next;

Committee to sit again *To-morrow*.

#### REGISTRATION OF BIRTHS AND DEATHS BILL.

On Motion of Mr. SCLATER-BOOTH, Bill to amend the Law relating to the Registration of Births and Deaths in England, and to consolidate the Law respecting the Registration of Births and Deaths at Sea, *ordered* to be brought in by Mr. SCLATER-BOOTH, Mr. CLARE READ, and Mr. Secretary CROSS.

Bill *presented*, and read the first time. [Bill 80.]

#### LOCOMOTIVES ON ROADS BILL.

On Motion of Mr. CAWLEY, Bill to amend the Law relating to the use of Locomotive Engines on Public Roads, *ordered* to be brought in by Mr. CAWLEY, Mr. HICK, and Mr. WYKEHAM MARTIN.

Bill *presented*, and read the first time. [Bill 81.]

House adjourned at  
 One o'clock.

## HOUSE OF LORDS,

*Friday, 24th April, 1874.*MINUTES.] — SELECT COMMITTEE — Church Patronage, *nominated*.PUBLIC BILLS—*First Reading*—Harbour Dues (Isle of Man)\* (34); Bishop of Calcutta (Leave of Absence)\* (35).*Committee—Report*—Local Government Provisional Orders\* (26).*Third Reading*—Cattle Disease (Ireland)\* (24); Middlesex Sessions\* (22), and *passed*.*Royal Assent*—Mutiny [37 Vict. c. 5]; Marine Mutiny [37 Vict. c. 5].

## BENGAL FAMINE.

## ADDRESS FOR PAPERS.

THE DUKE OF ARGYLL rose to call the attention of the House to the Papers which have been presented relative to the Famine in Bengal, and said: My Lords, I am quite sure your Lordships will not think it unnatural that I should take the earliest opportunity which a prolonged illness has permitted me to take of addressing to your Lordships some observations and some explanation with respect to the earlier stages of the famine which now prevails in Bengal. And, my Lords, it is one of the inconveniences which attach to the resignation of a Government before the meeting of Parliament, that the Members of that Government may escape from observations upon, or criticism of, the course they have pursued. I do not know, however, that much has been lost in this case, because on all occasions the Government of India—and I think happily—has been kept apart from everything in the nature of political feeling, and I am certain that even if the late Government had remained in office, and if I had met Parliament again while still in office, as at one time I expected would be the case, not one of my noble Friends opposite would have attempted to make political capital out of this famine in Bengal. One of the circumstances which make me almost glad that I did not take the earliest opportunity of addressing your Lordships on this subject is that if I had done so, I might have appeared to show some want of confidence in my noble Friend opposite (the Marquess of Salisbury) as regards the Government of India. No inference could be more erroneous than that I felt any such want of confidence, and none could give me

greater pain. I have the most absolute confidence that the honour of Lord Northbrook's government is as safe in the hands of my noble Friend opposite as I trust the honour of Lord Mayo would have been in mine if I had continued in office. But, my Lords, notwithstanding that, I cannot but feel that it would be hardly fair to my noble Friend opposite, and hardly right towards Parliament, if I left him alone to explain the course taken by the Government of India during the period when I was responsible as Minister for India. I cannot but feel that some statement is due to your Lordships, to Parliament, and to the country. My Lords, it is melancholy to think that I should remind your Lordships of the fact that famines are of by no means rare occurrence in India. Without going back to the famines of the last century, some of which have left terrible remembrances in the recollections of the people, but going back only to the Mutiny of a few years ago, we find that no fewer than four scarcities, amounting almost to famines, had occurred since that time. Every Minister who has had charge of the affairs of India, however short his term of office, since the Mutiny of 1857, has had to deal with a scarcity of that kind in some part of India. In 1861-2, my noble Friend behind me (Lord Lawrence), who so long presided over the Government of India, had to deal with a serious famine in the North-West Provinces. During the time another of my hon. Friends (Viscount Halifax) held the seals of the India Office, he had to deal with the famine of 1865 and 1866; and when he handed those seals to my noble Friend opposite, he (the Marquess of Salisbury) assumed office in the very midst of a famine which has left such a bitter recollection on the minds of the people. Again, when Sir Stafford Northcote gave up the seals of office, and I took them, in 1868-9, there was then in the North-West Provinces a serious famine which cost the lives of thousands of people. And, lastly, when I retire from office, my noble Friend opposite succeeds in the middle of a calamity threatening great danger to the enormously populous district of Behar. Why do I remind your Lordships of these things? Is it to diminish your sense of the horror of such occurrences? Quite the contrary. I allude to this fact of a long series of suc-

cessive famines at frequent intervals, as a circumstance which deepens our responsibility—because we know, or ought to know, the signs and appearances of these most disastrous events. I say that all the famines in India, and especially the famines of late years, are full of experience, and do throw increased responsibility on those who have charge of India at a time when scarcity is threatened in that Empire. I am willing to avow this responsibility. I accept the test, because I say the conduct of the Government in India and that of the Government at home ought to be tested by this—have you or have you not taken advantage of the experience you have had, and shaped your policy in accordance with the conclusions drawn from elaborate investigations concerning former great famines? This test I accept on the part of Lord Northbrook; and this is the test on which I wish to bring his conduct under the consideration of your Lordships' House. My Lords, the first news of the famine came in the end of October. At that time it was my first duty to consider whether the Home Government could do anything, and, if they could, what they could do, in reference to the terrible event which was so likely to occur. Now, my Lords, I am not one of those who wish to diminish the responsibilities of the office which lately I had the honour to hold, and which is now so worthily filled by my noble Friend opposite. It is a position of great responsibility; but on that account it is the more necessary to have a clear conception of what constitutes the responsibility of the Home Government. The Home Government is what it has always been, but more especially in recent times, a Government of Control—a Government having the power to control the local Government of India in its policy; but not an Executive Government, in the sense of having machinery of its own to carry out the functions of an Executive. I cannot but say that the electric telegraph is an immense temptation in this as in other Departments to assume duties which never can belong to a Home Government. It is a temptation to make suggestions which would have occurred to persons charged with the Government in India; and also it is quite possible to send fussy telegrams making inquiries which assume action on the part

of the Home Government in details with which it is incapable of interfering with advantage. The most extreme caution in these respects ought to be observed by the Home Government. But there is one thing for which the Home Government is responsible, and that is confidence in the policy of the men and in the system of policy adopted in India. Parliament cannot call Ministers too strictly to account for confidence or misplaced confidence in the Government of India. For the first week or ten days after certain news of the threatened scarcity came, it was my policy to place implicit confidence in Lord Northbrook and Sir George Campbell. I did, on consultation with my right hon. Friend at the head of the Government, make one or two suggestions, and I did make one or two inquiries, which will be found in the Papers; but beyond this, having satisfied myself of the policy of Lord Northbrook, I placed entire confidence in the conduct of affairs in India by Lord Northbrook and Sir George Campbell. Now, my Lords, this was not a blind confidence. It was a confidence justified by several important considerations, to which I wish to direct the attention of your Lordships. In the first place, my Lords, I placed confidence in the Government of India on account of the time they first took alarm and intimated that they were preparing to deal with the coming evil. This important point may not strike those Members of your Lordships' House who are not acquainted with the details. The first alarm was on the 25th of October. Now, if we look to former famines we shall find that sometimes they followed after the desolation of war, but the greater number of them were due, not to the failure of rain in one season, but to its failure in several seasons—two or three generally. In the case of the present famine, however, there had been three excellent seasons preceding the bad one, and up to the beginning of September there was not the smallest alarm arising from a previous failure of rain. What happens generally is a deficiency of the ordinary rains in the months of July and August. Well, that is not very serious. It never is fatal if the rain which has already fallen is supplemented by a fall in September and October; and therefore no considerable alarm is felt till it is found that there



is a deficiency in the September and October rains. Now, my Lords, this deficiency is never ascertained till about the third week in October, and that was just the time—the 25th of October—when Sir George Campbell telegraphed to the Viceroy that besides the failure of the July and August rains there was additional failure, and therefore there was cause for grave alarm. My Lords, all those circumstances justified the Home Government in placing considerable confidence in the Government of India. You will find in the case of previous famines that almost invariably the alarm had been taken at a much later period, and measures to meet the famine adopted much later. I think that in the instance of the Orissa Famine in which so many lives were lost there was no serious alarm till the month of June. There was another circumstance which induced the Home Government to place great confidence in the Government of India. I am putting it second in order, though perhaps I ought to have placed it first. There is a glib maxim which has been repeated till it is accepted as one conveying a great truth, “Measures, not men;” but I am disposed to think that the saying ought to be “Men, not measures,” because no measures are so good as good men. If you have good men, you may place your confidence in that circumstance without looking very much into the measures. In the case of my noble Friend (Lord Northbrook), I know that he is a man who looks into everything for himself; and as regards Sir George Campbell, Lieutenant Governor of Bengal, on whom finally the responsibility rests, I would ask your Lordships whether there is a more efficient man in the whole of the Civil Service? As Chairman of the Orissa Commission, appointed at the instance of my noble Friend opposite to inquire into the causes of the Orissa Famine, Sir George Campbell is the author of a most able and elaborate Report on the history of Indian famines, which is accessible to every member of the Government of India. When the present famine threatened, he was in a position which would enable him to carry his own doctrines into practice, and I felt convinced, from his known character and ability, that no measure would be neglected which could possibly prevent or mitigate the impending calamity. I

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may mention another circumstance which induced me to place this confidence in the Government of India. It was the nature of the measures which, within 12 days of the first alarm, were announced by Lord Northbrook as the outline of his policy. When I say this I think I shall be able to prove it. In the very first Resolutions then adopted there was indicated action on every point on which inaction had led to previous loss of life. There was not a point of policy which was not touched, and touched as clearly as so short a document could touch on it, in the Resolutions of the 7th of November. One point to which I particularly call the attention of your Lordships I am about now to refer to. The experience of former famines in India has been summarized in a vast mass of Papers in the India Office; but three documents in relation to these famines are of primary importance. On the famine of 1861-2 Colonel Baird Smith made a very full Report; on the Orissa Famine an elaborate Report was drawn up by the Commission of which Sir George Campbell was Chairman; and on the famine of 1868-9 Mr. Henvey made a Report which contains much information. This latter Report is important for the further reason that it relates to the first famine which occurred after the Orissa Report was made, and this Report on the Orissa Famine stands first of all for completeness and for the advice contained in it as to the policy to be pursued in a time of famine. Now the subject of famines in India is so large an one that noble Lords may be excused for not being acquainted with all the contents of those Reports; but the main conclusions come to in them may be reduced to three or four general conclusions. The first is that trade will do nothing for those who cannot buy. The second is closely connected with the first, and is that trade will do everything for those who can buy far better than any Government can do it, and that consequently the less you interfere with it the better. The third conclusion is that in certain extreme cases the Government must not only buy, but import, and possibly for those who can buy as well as those who cannot. Lastly, the fourth conclusion is that the Government must not supersede local efforts and local charity, but must back and help and organize them. I wish shortly



to direct the attention of the House to the consequences which follow from these general conclusions as to the course the Government ought to take. I am almost afraid your Lordships may think I am trifling with your Lordships when I dwell upon a conclusion so obvious as that trade will do nothing for those who cannot buy; but, like many principles in science which are just as obvious, a long time seems to be required before people can be got to understand it. The fact certainly is that its non-recognition in former famines cost thousands of lives. It was a common thing in former famines for the Government of India to quote a sentence from Mr. John Stuart Mill. He was a great authority on political economy with most men, but owing to his long connection with the India Office he was naturally an authority of the highest weight with the officials of India; and the sentence to which I am about to refer your Lordships has been quoted over and over again by them when asked to take effective measures for the supply of food in a time of famine. The sentence is this—

“Direct measures at the cost of the State to procure food from a distance are expedient when, from peculiar reasons, the thing is not likely to be done by private speculation. In any other case they are a great error. Private traders will not in such cases venture to compete with the Government, and though a Government can do more than one merchant, it cannot do nearly as much as all merchants.”

A curious and unfortunate circumstance in respect of this sentence is that those who have been in the habit of quoting Mr. Mill on the point have quoted the latter part of the sentence without the previous part. That is to say—they have not quoted Mr. Mill's limitation of his proposition—they did not see the bearing of it: but when we come to examine the point properly we see the enormously difficult duty cast upon the Government, because the first thing they have to do is to see what is the number of people which the rise of prices will deprive of the means of buying. This is really most difficult, because what in one district may be a famine price may not be at all so in another. The first duty of the Government is to estimate the number of the pauper population for whom they will be obliged to provide in consequence of the failure, and of the inability of these people to buy food at the enhanced rates. No doubt it was

most unfortunate that in former famines stress was laid on the latter part of that sentence, without reference to the previous part. In this, as in many other cases, political economy was charged with what it was not guilty of; the real error being in the partial conclusions drawn by particular individuals from principles which are in themselves correct. Certainly it was a great error when in former famines the Government omitted to purchase for those who could not buy for themselves. In most countries, and in India, perhaps, of all others, there is a large class of the population who are always bordering on mendicancy—on pauperism. To say the least, that class is not less numerous comparatively than in any other country. Then there is another duty of a Government in time of famine, when dealing with a large able-bodied class, as far as they can be called able-bodied, and who live from hand to mouth on their daily wages. One of their first duties is to provide the coolie class with timely public works. It was not in the middle of the famine, when the people were reduced in strength from loss of food, that these works should be provided—you ought to begin before they lose their strength and supply them with labour on the public works early enough to sustain them in good physical condition. With regard to the next principle laid down in these Reports—that trade can do all for those who can buy—I think I need hardly prove that to your Lordships; but there are very many people in this country by whom the principle is pooh-poohed. I doubt, my Lords, if in this country there is an adequate idea of the extent and energy of the private trade of India. By the last census the population of Bengal was 70 millions. Just consider what must be the amount of private trade to provide for that population, with such an enormous proportion of it living from hand to mouth. Just consider the number of private traders who must carry on business in Bengal to provide for the daily feeding of that people! I believe it is true what is said in Sir George Campbell's Report on the Orissa Famine—that there is no country in which greater energy is shown by the private traders than in India. And remember that all these transactions are founded on the mercantile notion of the hope of profit. Conceive any Govern-

ment interfering with that trade—any Government letting it be understood for a moment, or letting it be misunderstood, that they were about to supply food to the whole population! Only conceive, my Lords, what effect that must have on trade and on the food supply of the whole population. You will readily understand, my Lords, why it is constantly stated in these Papers, and why it was constantly in the mind of Lord Northbrook, and in that of every Viceroy who preceded him, that no action should be taken by the Government which could tend to arrest the operations of the enormous trade on which so very many millions depend for their supply of food. There is a reality in the danger which I am quite satisfied the public mind of this country has not realized, and I doubt whether it will be easy to bring it home to them. An early and emphatic declaration as to the intentions of the Government on such a point was essential, because any mistake in the matter might have led to a famine with which previous famines would have borne no comparison. With regard to the importation of food by the Government, it is to be remembered that there are districts of India which are almost entirely importing districts. Orissa is one of them, and on the occasion of the famine there, the monsoon having set in, the sea was impracticable for vessels. The consequence was a want of food, even for those who could buy. That circumstance had impressed itself on the minds of those who have to deal with the present famine. It was perceived that in districts which private trade could not or would not supply the Government must do it. This is an important point to which I must refer—because I am sorry to say that in the famine of 1868-9 there was, unfortunately, a neglect of this precaution in regard to one or two isolated districts of Central India, which are nearly surrounded by native States; and I am afraid that neglect led to very calamitous results. The loss of life owing to the neglect of that precaution was estimated at something like 25 per cent of the population. The last conclusion in the Reports to which I have been alluding is that the Government ought not to attempt to supersede local efforts. There was a very important correspondence on this point between my noble Friend

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(Lord Lawrence) and the Lieutenant Governor of the North-West Provinces. My noble Friend, with terrible recollections of the Orissa Famine, was anxious that the Government should make themselves responsible for the really helpless, irrespective of charitable institutions; but Sir William Muir remonstrated with my noble Friend. He said, in effect, that if you announce that the Government will be responsible it will be assumed that you want no assistance from private charity, and make no allowance for the local efforts of communities, large numbers of whom are in good circumstances, and able to afford aid to the mass of the population. He saw that if the liability of the State in the first instance was recognized, then there could be no ground for appeal to the public for aid towards performing an obligation devolving absolutely on the Government. The result was that my noble Friend to a certain extent gave way, and it was announced that the Government would back local exertions with an equal amount of money. That was the conclusion come to in the famine of 1868-9. In the very beginning of the present famine, Lord Northbrook impressed on the local officers their responsibility, and directed preparations to be made for the supply of those districts which private trade would not supply. Indeed, your Lordships will find every word of the conclusions to which I have called your attention embodied in the Resolutions drawn up by Lord Northbrook; but I wish to rectify one or two mistakes which have been made in reference to those general conclusions of policy as sketched out by the Viceroy. Your Lordships will recollect that when first the people of this country were informed of Lord Northbrook's relying on public works in relief of the famine, there was an immediate cry of remonstrance through the Press by various persons, some of whom are of very high authority. One of them is my friend Sir George Balfour. I received in private also a great number of remonstrances from friends of mine who are intimately acquainted with India. They objected to the public works, and pointed to the Irish Famine in proof of the soundness of their objection. There was great truth in some of what was urged, and I called the attention of Lord Northbrook to it, in order that he might act as he thought fit on

reading those objections. But there was one great mistake. People confounded the public relief works in India with works such as those had recourse to in the Irish Famine, and which were not begun until the people had been weakened by starvation. The relief works in India were works intended for the able-bodied before they began to suffer from famine, and it was the duty of the Government having to feed these people to get from them such labour as they were able to give in return. Such works as these are exactly in accordance with one of the recommendations in the Report on the Orissa Famine. I wish on this point to direct the attention of the House to what Sir George Campbell says—

“Very great reliance was placed on this means of relief, but our remarks have already shown that in the districts west of Calcutta they were wholly ineffectual to prevent extreme famine. It was before the districts had lapsed into extreme and general famine that such works might have been carried on in a way at once useful to the State and beneficial to the people. In all those districts it may be said that both the state of the people and the nature of the seasons required that anything effectual that was to be done in that way should be done before the 1st of June. We must pronounce that up to that time nothing effectual had been done. Works were not attempted on a sufficiently large scale; those that were attempted were not conducted on a footing calculated to relieve the famine-stricken; and above all, food was not supplied.”

The course there recommended in respect of relief works is the one adopted by Lord Northbrook. There is another mistake, but one which not unnaturally arose out of the Abstract presented to Parliament of the Correspondence between Lord Northbrook and the Lieutenant-Governor of Bengal. In this case Sir George Campbell asked for a vote of credit of £500,000 sterling. Lord Northbrook demurred to that demand. From this it has been argued that Sir George Campbell was left without means—without straw to make his bricks. This is a perfectly natural mistake for anyone to make who reads this Correspondence by itself. But in reality there was no question of money; it was a question of account. In accordance with a rule made during the Governor-Generalship of Lord Mayo each district is to have a provincial budget; and Lord Northbrook, aware that at the time when Sir George Campbell made

the application there was a considerable surplus in the hands of the Bengal Government for provincial purposes, thought that until that surplus was exhausted money should not come from other sources—

“The Government of India replied on the 13th November to this letter, forwarding a *précis* of the discussion at the Conference, and stating that, while thinking the grant of a credit of 50 lacs at present premature, it was prepared to support the Government of Bengal with such financial means as might be deemed necessary. The action of Government was to be at first limited to providing for the consumption of those employed on the relief works, but this decision was not to debar the Government of Bengal from acting on its own responsibility in case of any sudden emergency.”

There was another request made by the Lieutenant Governor at that time, to which Lord Northbrook also demurred. He was asked, “Are you prepared to undertake to supply food not only to those who labour, but to those who cannot?” What was his answer? He said he was not prepared to make an announcement that Government would provide for the entire population, irrespective of the questions of local exertion and local charity; but he was prepared to do what was done in order to back local charity and bring about local organization where it could not be done without the assistance of Government. That, I think, was a wise resolution. Depend upon it, my Lords, it would have been dangerous to the pauper classes themselves as well as to the Government for Lord Northbrook to have given any other answer. It would be impossible for any Government to adhere to proper principles, and give any other answer. One other misunderstanding has arisen with regard to the policy of Lord Northbrook, and this is in reference to local transport. My noble Friend opposite (the Marquess of Salisbury), in a speech delivered by him very early in the Session, did what I think was entire justice to Lord Northbrook, and I hope my noble Friend will allow me to say that I regard that speech as worthy of his high character and his high position. He alluded to the fact that Lord Northbrook had said the preparations for local transport were several weeks behind. That is perfectly true, but the blame does not rest with Lord Northbrook. Now, Sir George Campbell is almost as much a personal friend of mine as Lord

Northbrook; but I ask—Can anyone reading these Papers say with truth that Lord Northbrook neglected the local transport? In his comments on the weekly reports sent in to him “local transport” was a cry of his that invariably found a place; and if your Lordships will look at the Papers laid upon the Table I think you will find that up to the 15th of January all the reports of the local officers stated that the preparations for local transport were going on satisfactorily. It is impossible for the Governor General to be everything. He makes a demand on those who are informed of his policy and are to assist him in carrying it out, and he could make that demand of no abler man than Sir George Campbell. Unfortunately he was in enfeebled health, and, of course, he relied more or less on the local officers—to whom I must do the justice of saying that it was difficult for them to make any accurate estimate what preparations would be required—for the reason that the area of the famine was changing from week to week. By the dispensation of Providence, rain fell in the winter, and as every shower narrowed the area, it was impossible to say where the danger had passed away, or where the real famine spot would be found. Consequently, for a time the local officers had very little means of ascertaining what would be the magnitude of the exertions required of them. Great allowances must therefore be made. Nevertheless, after local inquiries, and after receiving so many of these weekly reports stating that the preparations for local transport were going on satisfactorily, Lord Northbrook said, “I am not satisfied;” and he said to Sir George Campbell, “You are not able to go,” but with the concurrence of Sir George he took the best step that could have been taken under the circumstances—he sent Sir Richard Temple, who was to succeed him in the Lieutenant-Governorship; and we must all rejoice at the energy and ability he has shown in seeing to the local preparations. For the last two years Sir Richard Temple has been under a cloud of unpopularity as Finance Minister, which he by no means deserved, and I believe the sole cause was that he carried out what had been the uniform policy of my noble Friend behind me (Lord Lawrence), and Lord Mayo

*The Duke of Argyll*

and myself, in respect to Income Tax. There is no more able or accomplished man connected with the Government of India. There is another important point to which I wish to draw attention, and perhaps some of your Lordships will think that I ought to have come to it sooner. It is the question whether Lord Northbrook was right or wrong in refusing to prohibit the export of food from India. My Lords, I am certainly willing to rest my defence of that policy on the most able, clear, and statesmanlike argument of Lord Northbrook himself. It is contained in the Papers that have been laid on the Table, and I hope all your Lordships will read it. When I see any answer to that Paper I shall believe it is a disputable policy; but I have seen no attempt to answer it—no attempt to so much as deal with it. The fact is, the objections to the prohibition of exports of food from India are so numerous that their name is legion. I venture to say that every individual mind as it considers the question will find a new argument against it. There is one argument which has great force with me. A good deal has been said of the hardship which such a prohibition would entail on those who deal in the ordinary supplies of food—there would be a great deal of hardship inflicted on the merchants if they were deprived of their ordinary trade; but is there not another class of people who would be most seriously affected? My Lords, those who export food from India or from any other country are primarily the merchants; but who sell to them? The farmers in India sell to those merchants, and they get a better price for their produce because it may be exported. The first effect of a prohibition on that exportation is a fine on the agricultural interests—you prevent them from getting the prices which otherwise they would obtain. And who are the farmers who would be affected? A proposition is made to prohibit exportation from all the ports—from Kurrachee, many thousands of miles away; from Calcutta, Bombay, and Madras. All the farmers who supply the merchants who export from those places are to be deprived of the opportunity of getting the highest price for their produce. What would be said if anyone proposed that in case of a famine in their part of the country the farmers of Ulster were to be prohibited from exporting their grain to the Clyde? Not



only would such a measure have done no good in the present case; but I will go further, and say that if exportation from those districts had been prohibited, matters would have been worse—because in consequence of being able to get a better price for their produce the farmers in Behar have had more money to expend on labour. I need not dwell further on the subject. The point has been settled, and settled, I trust, for ever. Some complaint has been made that the answer of Sir George Campbell was not prepared. I am afraid that the omission was occasioned owing to the change of office; but I certainly gave instructions that the answer should be prepared, and I am sure that all who know the high character of Sir Henry Anderson will admit that he must have believed he was giving a perfectly fair representation of the case. I regret, I say, the omission of Sir George Campbell's letter, but that omission is now supplied. My firm conviction, I may add is, that Sir George Campbell was greatly influenced by the knowledge that the measure of which he speaks was the one which recommended itself to the Native mind: but, in Sir George Campbell's own letter I find no valid argument for the adoption of the course which he recommended the Government of India to pursue. I have very few more observations to address to the House. There is, I think, a very general impression in the public mind that, although Lord Northbrook is doing very well in India, he is liable to the charge of having changed his policy, and of having been for some time somewhat lax. Now that is an entire mistake. Within 12 days of the first alarm Lord Northbrook sketched out the policy which up to this moment he has consistently pursued. There has been no change whatever in his policy, or if any, it was only such a change as occurs in the plans of every man as they become developed. It is that change which appears to take place in the plans of some great captains when after what seems to be a period of delay and confusion their columns are found to be converging on the point of attack. I am quite willing to admit that he may be premature in his anticipations of victory over such a calamity as this famine. In those matters we are in the hands of Providence, and if there should be an-

other year of want of rain I certainly cannot contemplate without a feeling of horror the duties which will be thrown on the Government of India. But there is some language held with regard to Lord Northbrook against which I now feel called upon most strongly to protest. I hear it often stated that Lord Northbrook will be judged by results. What that means I am not quite sure. If it means that he is to be condemned because there will be a certain amount of loss of life from famine, I think it is not just. It is not for us, at all events, who know Lord Northbrook's policy to stand by and say, "We have nothing to suggest. We feel you are doing everything that can be done. We see no fault in your arrangements, but nevertheless for the loss of life which occurs we will hold you responsible." That is a course to which I for one demur. We all in this country ought, I think, to speak on this subject with some modesty—When I say, "we all," I mean all public writers, all public speakers, all public men. It is not so very long since we had to deal with a famine within our own shores—a famine which was encountered by all the inexhaustible resources of the English people in wealth, in intelligence, in charitable feeling, and in organizing power; and what was the result? We ran, I am sorry to say, a losing race with disease and death. We did, indeed, save many lives, but there were many which we failed to save. But what were the difficulties of the Irish famine, confined to at most 3,000,000 of people, within a limited area, with our own resources to be dealt with by country gentlemen, magistrates, and clergy—what are the difficulties in such a case, I would ask, compared with the difficulties to be encountered by the Government of India in dealing with the famine in that country? It was observed by my noble Friend behind me then Governor of Madras, that in India we are dealing with men who will starve, though food may be brought to their very doors, because owing to the prejudices of caste they will not take it when it is placed within their reach. Such are some of the difficulties with which you have to contend, and with which nothing in this country can for a moment be compared. If, then, the Government of England, with all its power, energy, and resources, was unable to save its own



population from death in Ireland, what right have you to say that the policy of Lord Northbrook has failed even though hundreds—it may be thousands—should perish of famine in India? I was glad to find that my noble Friend opposite (the Marquess of Salisbury), who attended a meeting the other day at the Mansion House, referred to the good effect which the exertions to relieve them which were being made in England might have on the people of that country. I agree with him that the value of human life is a thing comparatively unknown in the East—it is the product of Christian civilization—but I have no doubt that the people of India will be struck by the exertions to save human life which are being made by the English nation. A right rev. Prelate who is not present (the Bishop of Manchester), but who takes an active part in social as well as other questions, in a sermon which he recently preached, condemned the Government of England for doing all that was being done to relieve the famine in India at the expense of the people of England. I fully understand the feeling which must have animated the right rev. Prelate; but at the same time I must rejoice that Her Majesty's Government has adhered to the good old Constitutional doctrine of keeping the Treasuries of England and India separate. The sentiment—the natural, powerful, and laudable sentiment—which dictated the policy recommended by the Bishop of Manchester I can well understand. I am sure, however, after five years' experience at the India Office, that India would be the loser by any mixing of the two Exchequers. One sentence which was spoken by the right hon. Gentleman at the head of the Government during the progress of the elections did, I confess, somewhat alarm me; but, as the right hon. Gentleman has since said with great humour, and, I must add, with great good humour, "a good deal has happened since then." I shall not, therefore, further refer to what fell from the right hon. Gentleman; but I may observe that I have seen within the last few weeks some indications of a difference of opinion between the Press of India and the Press of England with respect to which I should wish to say a few words. The Press of India is beginning to affirm that the Press of England has commenced to

exaggerate the famine. Now, that I do not believe to be true. I am fully convinced, with the Press of England, that had it not been for the exertions of the Government we should have lost thousands of lives already by the deplorable famine in India. I attribute the difference between the tones of the two Presses to the fact that in India the people are beginning to feel that the necessary expenditure for the relief of the famine is to be met by them and not by us. We are, I think, nevertheless right in making the people of that country pay for the famine; while we ought to remember that we derive considerable advantages from our connection with that country. I have sometimes heard it said that that connection confers no benefit on England. I believe, however, that the people of India are quite sharp enough to see through this language. They know perfectly well that, as a love of possession is one of the strongest instincts of the individual mind, so a love of dominion is one of the strongest in the life of nations. No nation, perhaps, has had it stronger than England. I believe we have administered India for the benefit of its people, and that while we have indulged the passion for dominion to the extent we have, we are fully conscious of the great uses it has served in the history of the country, the great duties it embraces, and the splendid opportunities which it affords.

*Moved* that an humble Address be presented to Her Majesty for,

Copies of the Annual Report on the Revenue and Settlement Administration of Oude for the year ending 30th September 1872:

Copy of the Despatch from the Secretary of State in Council relative to that Report, dated February 1874:

Copy of the Report for the same Province for the year ending 30th September 1873.—(*The Duke of Argyll*.)

**THE MARQUESS OF SALISBURY:** My Lords, having had an opportunity at an earlier period in the Session of making the observations which I felt it my duty to offer with reference to the policy that had been pursued in India, I will not weary you by attempting to repeat them on the present occasion. But I cannot do otherwise than express my gratification that my noble Friend opposite (the Duke of Argyll) has thought fit to give us, not only the pleasure of hearing a most instructive and most eloquent

*The Duke of Argyll*

speech, but also that defence of his conduct while he was responsible as Indian Minister which every responsible Minister owes to the public of this country. For I quite agree with him in thinking that anomalous, difficult, and intricate as the duties and the position of the Secretary of State occasionally are, there is undoubtedly—with respect to all that is done in India, a great responsibility resting on him to the people of this country; and that acceleration of the means of communication to which my noble Friend alluded, if it is, as he says, in some sense a temptation, is also a great addition to the responsibilities of the Secretary of State. He is bound to keep himself fully acquainted with all the Government of India is doing; he is bound to see that the Viceroy of India is in no degree and at no time uncertain as to the policy which he himself is prepared to sanction; and yet he must do this without diminishing, without trenching unduly on the responsibility—above all, without lowering the dignity and high position—of that great Officer whose estimation in the eyes of the people of India is the mainspring of the Government of that country. My Lords, the matters to which my noble Friend has referred are detailed fully in the Papers now on your Lordships' Table. It has been said that the time has not yet come for judging the Viceroy's conduct. I confess I cannot see what future revelations or what future events can place the Parliament of this country in a better position to judge of it than they are now. The Papers have been laid on the Table. Even that temporary *lacuna* which has been attributed to Sir Henry Anderson—of whom my right hon. Friend has not expressed too high an opinion—has been supplied and placed within the reach of all. I will not dwell at length on the circumstances of the Viceroy's policy. I think we are all agreed that in every particular except one he did everything which we, looking at his proceedings after the event, would desire that he should have done. There was one deficiency—a deficiency which he has himself acknowledged, although the blame for it rests in no degree on him. I have no doubt that the transport arrangements were delayed for too long a period. If I could put my finger on any one point of that kind, it would be to say that considerable embarrassment

and some suffering might probably have been spared if the Durbhanga Railway, leading to the districts affected had been made sooner than it was. But, as my noble Friend has said, the Viceroy must rely on the opinions of others, the same as the Governor of Bengal; and no one can blame the local officers who could not bring themselves to believe either in the terrible aspects of the phenomena themselves, or in the singular and marvellous rapidity with which they burst forth. It was the sudden rise in prices, the sudden failure of resources, the sudden destitution of the population which took so many of these officers by surprise. They thought it would come on them to some extent gradually. Misled by the too sanguine tone of a certain number of those local officers, I believe it is true that the Viceroy delayed the transport arrangements too long. That deficiency has been fully made up now, and it was, it seems to me, the main deficiency that can be attributed to the Viceroy's Government in this crisis. It appears to me that Lord Northbrook has shown marvellous energy and foresight. The resolution to maintain his own opinion between two adverse forces of criticism acting on him at the same time in a capricious and fitful manner, and yet with extreme violence—the resolution to adhere steadily to the views he had formed upon thought and inquiry, and to carry them out to a successful issue—these are, my Lords, the qualities which do not, perhaps, at the moment earn praise, but they are qualities which make a great administrator and secure lasting and never-failing fame. It has been the duty of my noble Friend to dwell upon and justify the past policy of the Viceroy, and of the Office over which he (the Duke of Argyll) presided. I will not follow him further into that subject, and my only excuse for detaining your Lordships any longer is that I wish to allude to one or two points which refer to the policy of the Viceroy as it has been developed during the period that I have been connected with the India Office. There is one point to which I am glad my noble Friend adverted. A very great authority—a noble Friend who was formerly Viceroy of India—has been arrayed against us on the financial policy of this Government towards that of India. My noble Friend has laid it down that it was the duty of

the English Government—and I think he has rather reproached us for want of generosity and humanity in falling short of our duty—to have given India the benefit of an English guarantee. Now, two policies have been recommended for the relief of the Indian Treasury—namely, the one to make a gift to India from the Imperial Exchequer, and the other to help her by a guarantee. I think anybody who cast his eyes this morning on the telegram giving the financial state of India would see how absurd is the proposal that a gift should be made to her from the Treasury of England. There is not one of our fifty Colonies which would not have the right to come in and ask for the same thing. Why, what is the state of the Indian Treasury? There is a certain item called “Extraordinary Expenditure,” which may, perhaps, mislead the ordinary reader. This “Extraordinary Expenditure” is an expenditure for remunerative purposes. It is for irrigation canals, railways, or other works, which will yield to the Government a return on the money laid out. It is, therefore, no more a part of the ordinary Budget of the country than an outlay for draining his lands or reclaiming his waste would be part of the “ordinary expenditure” of a landlord. Well, excluding this extraordinary expenditure and also the famine expenditure, what is the state of the case? For the present year there is a surplus of £1,818,700. In the same way, for the following year there is a surplus of £1,192,000—that is the surplus calculated upon for the year 1875. Then, the famine expenditure represents a yearly charge of £260,000, and with what face could a country with a surplus of £1,818,700 come to England and say, “You must relieve us of this extra charge of £260,000?” It would be the most shameful piece of national mendicancy ever heard of. I now come to the suggestion of a guarantee. I have always thought that this question of a guarantee was a question rather of words; because I have never been able to contemplate a state of things in which the credit of England would survive after the debt of India was repudiated. But that may be a matter of opinion. The question is—Is this guarantee which my noble Friend (Lord Lawrence) is so anxious to obtain out of the English

Treasury worth having? Now, there is nothing which the English people are so vain about as their guarantee. But figures do not always support the dictates of national vanity in that respect; and I think when my noble Friend said you must gain three-quarters per cent advantage by getting the English guarantee for the Indian Loan, he could hardly have looked at the Share List of this morning. If he consults that valuable document, he will find the Turkish Guaranteed Loan, which happens to bear the same interest as the Indian Loan. It was contracted during the Turkish War, as my noble Friend opposite will remember, and with some difficulty a guarantee was obtained from the House of Commons for the amount of that loan. Of course, I do not pretend that Turkish credit is all that can be desired—but the value of a guarantee of course depends on the credit of the guarantor, and not on that of the country for which the guarantee is given. Well, my noble Friend will find that the Turkish Loan guaranteed by England is at 4 per cent, and that the minimum price of it is below the minimum price of the Unguaranteed Indian Loan—so that the only effect of that magnificent promise of an English guarantee would have been to lower the price at which the Indian Loan would have stood. This Turkish Loan stands at a premium of one, and the Indian Unguaranteed Loan at one-and-a-quarter; so that the benefit which my noble Friend intends to obtain for India is a minus quantity. This may seem extraordinary; but the value of stocks depends not only on the credit of the country which borrows, but upon whether they are large enough to be easily sold or bought. Small stocks are not in favour with the investor, because they cannot be got rid of when he wishes, and they consequently bear a lower price than loans of larger amount. The great advantage of ordinary Indian loans, as of Consols, is that they are so large and held by so many people that one can always purchase or get rid of the stock. A small stock guaranteed by England of £3,000,000 or £4,000,000 would not have been sought by investors; so that it would have been in the position now occupied by the Turkish guaranteed loan. I trust that on referring to the Share List the noble Lord will be satisfied that even from his own

point of view the English Government has been guilty of no want of generosity to the people of India in not offering a guarantee. The only other point to which I desire to allude is the condition of the food supply in the distressed districts. There has been considerable anxiety out-of-doors on this point. There is an impression that the Viceroy has not made sufficient provision, and that as the famine goes on—as it undoubtedly will—lasting into months when the transport will be more difficult, a deficiency will be found. Just before the meeting of Parliament the Viceroy telegraphed that he expected at the worst period to have something under 3,000,000 on his hands for three months, from the end of May to the end of August; a smaller number in April, May, and September; and still fewer in March, October, and November—adding that there would be distress, but not general, in nine other districts, and that the Government stores of rice were 420,000 tons. Taking the well-known allowance of 1½ lb. a day for each recipient, and assuming three quarters of his full charge in April, May, September, and one half of his full charge in March, October, November, I found that this would absorb 413,000 tons, and I confess I was rather alarmed to find so small a margin. We pressed him earnestly to increase his purchases, acting under the impression that after a certain period it would not be easy to obtain rice in Burmah. The Viceroy, in reply, promised to increase his stores; but assured us it was quite within his power to obtain a larger supply from Burmah whenever he might feel the need of it; while in the Punjab there is an enormous store of grain from the last harvest, and the coming harvest promises to be one of extreme richness and abundance. Being pressed very strongly, the Viceroy distinctly told us he was under no apprehension of the failure of the supply. Knowing his decision and his means of knowledge, I have no doubt he has quite satisfied himself, and that we may be perfectly secure, whatever happens, against the failure of relief for want of the necessities of life. His policy is one which the noble Duke can best defend, but with which I have no fault to find, and which has been carried out with a vigour and energy beyond praise by those under

him. We cannot now tell at what period the famine will reach its worst, nor can we judge how much suffering will be its result. Only the other day I had a letter from the Viceroy, pointing out that the mortality among children is necessarily beyond the power of any Government to control. Parents often will not bring their children until it is almost too late to rescue them, and any attempt to take them forcibly would be at once interpreted as a covert design to force them to become Christians. It is, therefore, impossible for the Government in many instances to avoid disease, and in some instances death. I quite concur with my noble Friend in earnestly protesting against the notion that in judging the Viceroy by the results of his policy we are to take the losses that may arise as a necessary proof that he has failed. We must judge of it by the evidence that lies before us, and I have no doubt that when the confusion and panic that have recently prevailed have cleared away—when people have forgotten the scenes that have been so powerfully depicted, but which are in some degree likely to mislead—when they can judge dispassionately of the dangers that had to be met and the enormous difficulties to be overcome—they will wonder at the energy and foresight displayed, and will pronounce that England has proved herself, at least in this instance, worthy of the tremendous task she has undertaken in governing the vast dependency intrusted by Providence to her care.

LORD NAPIER AND ETTRICK said, he was sorry that, while concurring in much that had been said, he found himself in almost solitary antagonism on some points to two able Secretaries of State, to the Viceroy, and, as he was told, to the unanimous opinion of the Indian Council at home, as well as, he presumed, to the majority of the Council in India. He was also under the disadvantage of insufficient information, the Blue Book not having, as he was told a few days ago, been yet issued. He could, however, appeal to the opinion of Sir George Campbell, which could not but be deserving of attention. He did not cast anything like an imputation on the humanity of the Viceroy—no statesman had been more devoted than Lord Northbrook to his duty, or had shown a more tender sense of the interests of the



people committed to his care, and he had been superior to the temptation of earning a cheap popularity by taking a course conformable to popular opinion in England, but opposed to his own sense of duty and independence—if he had erred at all it was on a matter of speculative opinion, and upon a matter as to which all were liable to err. He had been acting, moreover, with the advantage of having able counsellors. The Viceroy had also the assistance and advice of a Commander-in-Chief who took a deep interest in and possessed a profound acquaintance with the affairs of India. With all this assistance, he (Lord Napier) was nevertheless constrained to affirm his conviction that in the policy of the Government of India on this subject there had been one considerable error, and that in the recent policy of the Government of this country there had been one great opportunity of doing good lost. The particular in which he thought the Government of India had erred was this—that they had not prevented the exportation of the food of the people from the Presidency of Bengal. That export ought, in his opinion, to have been by all possible means prevented. The exportation of rice ought to have been prevented, because it was the common, familiar, and acceptable food of the people, and was preferred by them to rice imported from abroad; next, because the export of food and consequent increase of importation from abroad greatly aggravated the difficulties of transport and carriage; and, lastly, because the food imported was distasteful to the people. The export of food might have been prevented in one of two ways—by extensive purchases in the Calcutta and local markets, or by actual prohibition. He did not hesitate to say—and he had high commercial authority for the statement—that exportation from Calcutta might have been prevented without difficulty by adequate purchases in the markets, and as to the food in the interior of the country, the grain must have been either available for general export or lying under particular contract. If the former, all the Government had to do was to go quietly into the market by confidential agents, and buy the rice on their own account. If it was lying under contract, there would be more, but no insurmountable, difficulty in making arrangements for

securing it. The food must have been bought with the intention of its being sold again, and why should it not have been sold to the agents of the Government? With reference to the food in the interior, it could have been secured by compacts at numerous points for its delivery at particular places and times. He could not see how any insuperable difficulty could have arisen in the purchase of the food produced in India itself. But if any such difficulty had arisen, there remained the alternative of effectual prohibition. That expedient might have been resorted to, and carried into effect without any serious prejudice to any interest whatever, seeing that from the first it must have been clear that there would be a full demand for all the production of the country. The amount of grain available for exportation from India was generally 400,000 tons from Bengal, 700,000 tons from Burmah, and 100,000 tons from Madras—an amount far in excess of the estimated requirements. But it was said that such a course of proceedings would deprive the producer and holder of the profits to which they naturally looked forward. How could that possibly be the result of the Government putting itself in the place of the foreign trader? The home market would have been just as advantageous to the producer and the holder as the foreign market could be. The only persons who could be affected by the prohibition would be the carriers; but that would be compensated by the fact that export and consequent import being prevented, the entire carrying power could have been concentrated, so far as it was available, on the transport of the grain to the districts in which it was required. For his part, he entertained a firm conviction that the policy which the Government of India ought to have pursued was to have secured the food produced in India in one or other of the ways he had pointed out. Without intending for a moment to enter into a detailed criticism of the merits of the measures which had been adopted by the Government of India for the relief of the people of that country, he felt bound to express his regret that he had not found in the documents laid upon the Table of the House fuller information upon several points connected with this subject. Thus they contained no information with respect to the steps, if any,



which had been taken by the Government of India to avail itself of the assistance of the other Indian Presidencies. He felt confident that had an appeal been made to the Presidencies of Bombay and Madras, they would have responded to that appeal with all the zeal and alacrity they had shown during the time of the Mutiny. Had such an appeal been made to the English planters, landowners, and residents in India, of the services which would be most valuable, of the missionaries whose great importance was only just being recognized, and of the medical departments in all parts of the country? In dealing with the relief works it must be remembered that they were calculated to drain agricultural labourers from the rural districts, and he wished to know whether means had been adopted to return to those districts from the relief works a sufficient quantity of labour to enable the land to be adequately prepared for sowing? It would also be necessary to supply the people with a sufficiency of grain for seed to be sown in June for the November harvest. It would not be enough to provide a quantity of rice merely sufficient to preserve the people from famine until the next harvest was reaped, because rice required to be kept several months before it was fit for food, and therefore the supply of grain must be calculated to feed the people for some four or five months after harvest time. Of course, the Government of India might be fully alive to the importance of all these points, and might have provided for the difficulties he had pointed out; but his complaint was that the Papers which had been laid before the House gave no information whatever in reference to them. He wished, however, to express his opinion that the noble Marquess (the Marquess of Salisbury) had lost a very great opportunity of doing a gracious act towards the people of India by making a grant of public money towards the relief of the suffering people of India. India, with £15,000,000 of cash balances in hand, and possessing excellent credit, did not require a guarantee for a loan from this country; but seeing how the people of India had come forward in the most generous manner to assist a part of England when it was in distress, he thought that it would have been only gracious and politic on the part of England, with its immense re-

sources, if, as a testimony of its sympathy with the starving millions of India, it had made a grant of money from the Exchequer. The Government of England had from age to age and from period to period signalized themselves by acts of national generosity not only to the suffering people of our own Colonies but also of foreign countries. There had been during the last 200 years a great variety of votes of this nature passed by the Parliaments of England, and among them was one which related to the earthquake at Lisbon. When the news of that calamity reached this country the King sent a message to Parliament, and the House of Commons unanimously voted £100,000 towards the relief of the sufferers. Would it not have been a gracious act if the Government had availed themselves of this opportunity to make some similar manifestation of good-will on the part of this country towards the poor famine-stricken population of India? If such an idea were impossible, chimerical, or enthusiastic, although he believed it would have been hailed even in this country as an acceptable expression of national benevolence, still he thought that the noble Marquess might have found it possible to direct the inclinations of the people of England into some channel where they would have been tangible and visible to the inhabitants of India. Famine invariably brought disease in its train, and the noble Marquess might, for instance, have sent out a number of medical officers, who, dispersed throughout the country, might have organized hospitals and administered relief. Any act of this nature would have been, he felt sure, gratefully hailed by the people of India. He desired in conclusion to thank their Lordships for the kindness and attention with which they had listened to him, for he felt strongly upon the subject, having in times past been brought face to face with scenes similar to those now occurring in India—scenes which no distance of time could ever efface from his memory.

LORD LAWRENCE said, that at no period of the British rule in India had the various offices of the Government, from the highest to the lowest, been more excellently filled than they were at the present moment; and he could not but express his unfeigned admiration of the zeal, energy, and public spirit exhi-

bited by Lord Northbrook. But, notwithstanding the opinion expressed during the debate by his two noble Friends, who, as Secretaries of State, had the fullest knowledge of the course of the present calamity, he felt compelled to say—and he said it with the greatest regret—that he thought that, under the circumstances, it would have been politic at an early period to have placed an embargo on the exportation of rice from the ports of Bengal. There were, to his judgment, overwhelming reasons why that course should have been adopted, although it would have been inexpedient to have extended the prohibition to the rest of India. Had the course been adopted those interested in the produce of the country would not in any way have pecuniarily suffered, for they would have been able to command as high a price as they would get by exporting. The bulk of the rice grown was not in the hands of large dealers, and therefore the embargo would not, to any great extent, have affected the trade, while, if an early embargo had been placed on exportation, a supply would have been directed towards the famine-stricken districts, or the supplies could have been forwarded by the Government without blocking the railways, and thus much time would have been saved. It seemed to him, under all the circumstances of the case, that there would have been a certain amount of advantage in following the policy which had been advocated by Sir George Campbell. He gave that opinion, however, with great diffidence, and he admitted that there was a great deal to be said on both sides of the question. He might add that when the question was raised, it was supposed that districts extending to between 50,000 and 60,000 square miles, with a population of something like 30,000,000, would be involved in the consequences of the famine; but, by the mercy of God, the area threatened by famine had been reduced, by the fall of rain, to 12,000 or 13,000 square miles and 12,000,000 or 14,000,000 of people; still it was by no means certain even now that the famine would be limited to that area. We should not have tided over the danger until the months of October, November, or December, and it was, therefore, quite possible, notwithstanding all the efforts of the Indian Government—and they had been enor-

mous—that even now there might not be sufficient food. Indeed, he was persuaded that had it not been for the extraordinary exertions and great foresight of Lord Northbrook, we should, by this time, have heard of tens of thousands of deaths. As to guaranteeing a loan to India under those circumstances, he must say he differed from the view which was taken by the noble Marquess (the Marquess of Salisbury) on the subject. The noble Marquess said that the revenues of that country were in such a flourishing condition that it would have been scandalous for India to look to this country for assistance, and that an English guarantee would only tend to damage her credit. Now, the noble Marquess, in making these observations, seemed to him to have lost sight of the peculiar position of India. The revenues of India were, it was true, very large, but the money was all required to carry on the administration of the country. Besides, it was necessary to expend considerable sums on the making of roads and canals, and on the carrying out of important works. To effect these objects, a large expenditure was necessary, and a heavy debt was contracted for which the annual charge was very considerable. It was stated, in recent telegrams, that the famine would entail an expenditure of £6,500,000; and to this must be added the indirect cost of the various works of improvement which the Government of India would have to undertake hereafter in these districts. He, therefore, thought with regard to the £10,000,000 for which the sanction of Parliament had been asked, that the Government would have done well to have given a guarantee. Had that been done, the money could have been borrowed at 3½ per cent, instead of 4 per cent, a great saving to India would have been the result, and Indian finance would not have been injured any more than Canadian finance had suffered by the guarantee to the Dominion. It ought to be borne in mind that our countrymen had been expending their lives in maintaining the honour of England, yet that India had not cost us a farthing. England had certainly conferred upon India vast benefits, which he should be the last to underrate; yet, on the other hand, it should not be forgotten that thousands of Englishmen had gained great wealth from that country, and that if England

in her corporate capacity would return only a trifle of that wealth she would show the people of India that the people of this country entertained a real feeling for India in her present distress.

After a few words from Lord STANLEY of ALDERLEY,

THE MARQUESS OF SALISBURY wished to state, in answers to Questions put to him, in the course of the debate, that it was the strong opinion of Sir George Campbell that it was not more European, but more Native assistance that was wanted. With regard to the provision of seed for next harvest, Sir Richard Temple had stated that the better class of ryots had saved seed for themselves, and that the lower class were purchasing seed from the dealers. His noble and gallant Friend (Lord Napier) seemed to think he had accused the people of India of mendicancy. That was not his purpose, and he had heard nothing to justify such a charge. He had in his mind what the position of the Government would have been if, in the face of the surpluses of Indian revenue, they had asked Parliament to advance money from the Treasury of England. He agreed with the noble and gallant Lord that it was the duty of the people of England to give the people of India a pledge of their sympathy in the present crisis; but, according to the habits and traditions of the people of this country, that sympathy ought to be shown in the liberality of individuals, and not by contributions from the Imperial Exchequer.

THE DUKE OF ARGYLL said, that Sir George Campbell had submitted himself to medical examination, and that the verdict of the doctors was that, if he remained during another hot season in India, he would probably lose his life. Sir George Campbell had, notwithstanding, placed his services at the disposal of Lord Northbrook, and had offered to remain in India, either with or without salary. After the opinion given by the medical man, Lord Northbrook was obliged to take upon himself the responsibility, and he told Sir George Campbell he could not allow him to remain in India during the hot season. Sir George Campbell telegraphed that to him, and he replied that he entirely concurred in the verdict of the Governor General.

THE MARQUESS OF SALISBURY also wished to add that as soon as he became acquainted with the facts he expressed an opinion that it was the duty of Sir George Campbell to return to England.

*Motion agreed to.*

BISHOP OF CALCUTTA (LEAVE OF ABSENCE)  
BILL. [H.L.]

A Bill to extend to the present Bishop of Calcutta the regulations made by Her Majesty as to the leave of absence of Indian Bishops—*Was presented by The Marquess of SALISBURY; read 1<sup>a</sup>. (No. 35.)*

House adjourned at a quarter past  
Eight o'clock, to Monday next,  
Eleven o'clock.

## HOUSE OF COMMONS,

*Friday, 24th April, 1874.*

MINUTES.]—SUPPLY—*considered in Committee*  
—MISCELLANEOUS ESTIMATES.

PUBLIC BILLS—*Ordered—First Reading—*Tenant Right (Ireland) \* [82].

*Committee—Referred to Select Committee—Committee nominated—*Married Women's Property Act (1870) Amendment \* [12].

## JOINT-STOCK COMPANIES—PROVIDENT SAVINGS BANKS.

### QUESTION.

SIR EDWARD WATKIN asked the Secretary of State for the Home Department, If Her Majesty's Government is prepared to introduce a general Bill giving powers to Joint Stock Companies to establish provident savings banks, and also provident funds for the superannuation of aged and infirm persons employed, powers analogous to those already given by special Clauses in private Acts of Parliament to some of the Railway Companies?

MR. ASSHETON CROSS, in reply, said, it was not the intention of the Government to introduce a Bill to carry into effect the objects mentioned by the hon. Gentleman. He hoped, however, the House would allow him to ask them not to form a judgment on this matter, on account of what might seem to be unfavourable, but was really unavoidable delay, until they had seen the Report of the Friendly Societies Commis-

sion, in which the whole of this subject was thoroughly discussed.

CHINA—STATE OF WOOSUNG BAR,  
SHANGHAI.—QUESTION.

MR. ROBERT REID asked the Under Secretary of State for Foreign Affairs, Whether any Communications have passed between Her Majesty's Minister at Peking and the Chinese Government on the subject of the silting up of the bed of the river at Shanghai; and, if any such Communications have been received at the Foreign Office, or any Despatches on the subject, if he has any objection to produce them?

MR. BOURKE: Sir, the question of the silting up of the Woosung River has been frequently brought to the notice of the Chinese Government by Her Majesty's Minister at Peking, and instructions were sent to Mr. Wade on the subject as lately as the 30th of January last. There will be no objection to produce the despatches upon the subject.

DOVER HARBOUR.—QUESTION.

MR. BECKETT DENISON asked the President of the Board of Trade, What action has been taken with reference to extension works of Dover Harbour since August 1873; whether his attention has been called to a Private Bill of this Session, entitled "Dover Harbour Bill, 1874," promoted by the Harbour Board, which proposes amongst other things to acquire and annex the Admiralty Pier; and, whether such Bill has the sanction of the Board of Trade, the Admiralty, and the War Office Departments of the Government?

SIR CHARLES ADDERLEY: Sir, since the presentation last Session of the Parliamentary Paper on Dover Harbour, correspondence has passed between the Government Departments on the subject of the proposed new works at Dover, but no conclusion had been arrived at sufficiently definite to enable the present Government to take up the subject practically at once, and they have accordingly decided that there is not time for them to deal with the question this year, and have notified this decision to the agents for the Private Bill introduced by the Dover Harbour Board. Parliamentary Notices were given both on behalf of the Government and the Dover Harbour Board for a Bill for the present Ses-

sion, and these Notices were practically identical.

THE SUEZ CANAL—THREATENED  
SUSPENSION OF TRAFFIC.  
QUESTION.

SIR GEORGE JENKINSON asked the First Lord of the Treasury, If the Government have received the Notices referred to in a Letter in the "Times" and other journals of yesterday, and signed Daniel Lange, and addressed by him on behalf of Monsieur Lesseps to the President of the Board of Trade and also to the Lords of the Admiralty, in which he informs them that Her Majesty's Ships and all other vessels will be stopped and not allowed to enter the Suez Canal unless they first pay the extra charge demanded by Monsieur Lesseps; and, further, whether he can, without inconvenience to the public service, state what course Her Majesty's Government propose to take under these circumstances for the protection of British interests?

MR. DISRAELI: Sir, it is quite true that Her Majesty's Government have received the notice respecting the Suez Canal to which the hon. Baronet refers. With regard to the second part of my hon. Friend's inquiry—namely, whether I can without inconvenience to the public service state what course Her Majesty's Government propose to take under these circumstances for the protection of British interests—I will say that Her Majesty's Government are at this moment in communication with other Powers as to the course to be adopted, and when they have decided upon that course it will be made known to all parties concerned.

PUBLIC WORKS LOANS—RETURNS.  
QUESTION.

MR. WHITWELL asked the Secretary to the Treasury, When the Return to an Order of this House, dated July 13, 1871, with reference to Public Works (Loans), and ordered to be printed, August 10, 1872, may probably be expected to be delivered to Honourable Members?

MR. W. H. SMITH: My attention, Sir, has been called to this Return, which I find has been ready for a long time; but a question has arisen as to the method in which the profits on the loans



made since 1817 should be stated, and the Treasury has been unwilling to distribute the Return until the Departments were agreed upon the principle to be adopted. I find that it is only a small part of the Return to which the doubt applies, and I propose to distribute it, omitting that part, and adding a Memorandum that the omitted part shall be laid on the Table in substantive form when completed.

#### HAMPTON COURT PARK.—QUESTION.

MR. DILLWYN asked the First Commissioner of Works, Whether any arrangement has been made for the payment of rent for the occupation of Hampton Court Park, a Return, printed on the 4th of June 1872, having stated “that the conditions of this occupation are now under the consideration of the Lords of the Treasury?”

LORD HENRY LENNOX: Sir, with the sanction of the Treasury, I have placed myself in communication with the Master of the Horse's Department on the subject. No arrangement has yet been made, but I hope a satisfactory one will shortly be come to as to the amount of rent to be paid under the existing circumstances of the case by the Master of the Horse's Department to the Board of Works.

#### THE MONASTIC AND CONVENTUAL INSTITUTIONS BILL.—QUESTION.

MR. CALLAN asked the Member for North Warwickshire, If he really intends to proceed with his Monastic and Conventual Institutions Bill, which is set down for Second Reading for the 1st of May?

MR. NEWDEGATE, in reply, said, the usual intimation had not been given to him of the intention of the hon. Member to put this Question on the Paper. It was his intention to proceed with the Bill on the day named if he found it possible. If not, he would avail himself of any opportunity that might occur to proceed with the Bill.

#### UNIVERSITY EDUCATION (IRELAND). QUESTION.

MR. MOORE asked the Chief Secretary for Ireland, Whether it is the intention of the Government to bring in any measure relating to University

Education in Ireland during the present Session?

SIR MICHAEL HICKS - BEACH, in reply, said, that, remembering the history of the University Education (Ireland) Bill of last Session, he thought the House would hardly expect the Government would in the present Session be prepared to deal with the subject of University Education in Ireland.

#### LICENSING ACT, 1872—ADULTERATION OF LIQUORS.—QUESTION.

In reply to Mr. J. G. TALBOT, MR. ASSHETON CROSS said, he had no objection to a Return being made of the number of convictions for the adulteration of intoxicating liquors which have occurred under the Licensing Act, 1872, in the Metropolitan district.

#### PARLIAMENT—BUSINESS OF THE HOUSE.—QUESTIONS.

MR. GOSCHEN: Perhaps the right hon. Gentleman at the head of the Government will state, whether there is any chance of the Navy Estimates being on the Paper on Monday next, or whether they will be the first Order of the Day on Thursday?

MR. DISRAELI: They cannot be brought forward on Monday, but I understand they will be brought forward on Thursday.

MR. HORSMAN: I should like to know what will be the exact course of Business on Monday? Rumours on this side of the House say that another Motion respecting the Ashantee War is to be discussed before the Estimates come on.

MR. DISRAELI: I do not know anything of the Motion to which the right hon. Gentleman refers. There will be the Report of the Committee of Ways and Means, then Supply, and at half-past 10 the Bill of which my right hon. Friend the Secretary of State for the Home Department has given Notice.

MR. HORSMAN: We are told here, on what appears to be good authority, that an arrangement has been made with the Government that the hon. Member for Tamworth (Mr. Hanbury) is to bring on the Motion of which he has given Notice, which will give rise to a long discussion.



MR. DISRAELI: I cannot place any restriction on the privilege of hon. Members to bring forward Motions on going into Committee of Supply, and there will probably be that and other Motions. I only gave the programme of the Government Business.

MR. HORSMAN: Is the Report of the Committee on Ways and Means to be taken as the first Question on Monday? [Mr. DISRAELI: Yes.] Then that will give the hon. Member for Tamworth an opportunity.

THE CHANCELLOR OF THE EXCHEQUER: The Report of Ways and Means will be taken first, and afterwards the Motion to go into Committee of Supply.

#### SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made and Question proposed, "That Mr. Speaker do now leave the Chair."

#### PROBATE AND ADMINISTRATION UNIFORMITY.—RESOLUTION.

MR. GREGORY, in rising to call the attention of the House to the expense, inconvenience, and delay occasioned by the necessity of obtaining separate Probates of Wills or Letters of Administration for England, Scotland, or Ireland, in the case of persons dying possessed of personal estate in more than one of those countries respectively; and to move—

"That in the opinion of this House, it is desirable that one probate or administration should confer a title to all personal estate within the United Kingdom,"

said, that in the event of a deceased person having been possessed of property in the Three Kingdoms, it was necessary to go to considerable inconvenience, and incur expense, in having the probate or letters of administration, as the case might be, sealed in each country. Notwithstanding the anomalous character of the practice, he should not complain of it, if it gave any additional security, but it really did not give any. As an illustration of its operation, he would just mention one instance in which a gentleman died some 14 years ago, leaving property which was fully administered in this country. It was discovered, however, a short time ago, that he was

the surviving trustee of an account kept in the Bank of Ireland, and that it was necessary to transfer the money to new trustees. One would naturally have thought that this was an easy matter; but, in point of fact, affidavits had to be sworn verifying all the property which had been administered in this country 14 years previously, a copy of the will lodged in Ireland, and the English probate of it resealed. The consequence was that the trustees were put to an expense of £20 or £30, which was wholly unnecessary. He could multiply these instances; but from that, the House would see that it was desirable to make such a change in the law as would make probate of wills and letters of administration taken out in one country sufficient. He did not see why there should not be one common seal for the United Kingdom, or why the evidence taken for England should not be made legal for Scotland and Ireland as well. He trusted that the Government would give the matter their attention, and give some assurance to the House that they would bring in a measure to remedy the present state of the law on the subject. The hon. Member concluded by moving the Resolution of which he had given Notice.

MR. DILLWYN seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable that one probate or administration should confer a title to all personal estate within the United Kingdom,"—(Mr. Gregory,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GOLDNEY said, he was of opinion that the matter, so far as it related to expense, should be properly brought forward in Committee on the Estimates. He quite agreed with the hon. Gentleman who brought the question under consideration, as to the expediency of having uniformity in the system for the whole of the United Kingdom, and he trusted that the Government would introduce a clause into some general measure, making the evidence taken in England applicable and sufficient in Ireland and Scotland. He had been always of opinion that the law on the

subject ought to be assimilated, and he therefore hoped the Government would introduce another clause, making probate granted in one part of the Kingdom evidence in all parts of the Empire.

MR. GATHORNE HARDY said, he was sorry his hon. Friend should have made his Motion in the absence of the Attorney General, who was to have been present, but had been detained. All he could say was, he should bring the subject to the attention of his hon. and learned Friend.

Amendment, by leave, *withdrawn*.

#### THE DISSOLUTION AND GENERAL ELECTION—VOTE OF CENSURE.

##### RESOLUTION.

MR. SMOLLETT, in rising to call the attention of the House to the abrupt Dissolution of the late Parliament on the 26th January last, and to the precipitate General Election consequent thereon; and to move—

“That, in the opinion of this House, the advice given to the Crown by Her Majesty's late Ministers to dismiss the last Parliament upon the 26th January last, in an abrupt manner and without any previous warning, at a time when both Houses had been summoned to meet for the dispatch of public business, and when no emergency had arisen for such a step, is censurable; and further, that the precipitate appeal to the Constituencies consequent on such Dissolution is opposed to the spirit of the Constitution,”

said, that in interposing between the House and Supply on that occasion, he trusted he should receive the kind attention of hon. Members, because although not “entirely unaccustomed to public speaking,” he feared he had rusted a good deal from disuse during the last five or six years. In the first place, he begged explicitly to declare that in bringing forward and endeavouring to ventilate the subject of the late Dissolution he was not acting in accord with any party in the House; he had not taken counsel with a single person in the House; and as regarded the Resolution he was about to propose, he alone was responsible for its wording. In point of fact, he did not expect to obtain much sympathy or assistance from either of the two great parties, for the chiefs of the Conservative party, now in the enjoyment of office, owing mainly to the political madness of the Leader of the opposite party, were perfectly satisfied with the late Dissolution, and had great

reason to be contented; while hon. and right hon. Gentlemen on the other side, politically disorganized, were not disposed to wrangle over spilt milk, or expose the follies of those who had brought them into their present unhappy position. However, he would go on with his Motion because, though it appeared to be a mere Vote of Censure for a particular act, he had a practical measure to propose. The question which the House must face—and it was a grave question—was simply this—How were future General Elections in this country to be conducted? Was it to be permitted to any party to organize a Dissolution in secret, and “spring it” without notice upon bewildered constituencies for party purposes, or was it not? That was the question which, in his opinion, the House ought to discuss, and if it shirked the discussion it would be evading its plain and positive duty. The Resolution which he had put on the Paper was a very moderate one. It did not in any way assail Her Majesty's Prerogative. He admitted it was the undoubted Prerogative of Her Majesty, and her undoubted right, to terminate the existence of a Parliament at any time, always acting under Ministerial responsibility. But the Resolution assailed the wisdom, honesty, and necessity of the advice tendered to Her Majesty on a late occasion, and it condemned and challenged the surprise and deception which marked and characterized the proceedings which led to the late General Election. Those, he thought, were charges which ought to be met and discussed upon principles of plain common sense, having no relation whatever to legal technicalities or musty precedents. Now, properly to understand the circumstances under which the late Dissolution had been brought about, it was necessary that he should take a short retrospect of the political situation in 1873, and he promised he would make that retrospect as short as he possibly could. The House was perfectly aware that the late Liberal Cabinet had existed for a term of five years, and perhaps they also knew that in the eyes of the supporters of that Cabinet, that term of five years was supposed to constitute the most glorious epoch in the legislative history of Great Britain. He, however, was not going to argue that point, because he thought it

had been settled by the country at the late General Election; but he was quite ready to admit that for the first four years of his administration the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) conducted the business of this country with much vigour—namely, from 1869 to 1872, for he had then at his back a rattling majority, and he then enjoyed the loyal support of all sections of the Liberal party in that House. It was only in 1873—the fifth year of his administration—that the fortunes of the right hon. Gentleman began to wane, and when they did begin to wane, his “decline and fall” were very rapid. It was on the night of the 11th, or the morning of the 12th of March in that year, that the Cabinet of the right hon. Gentleman nearly foundered in the attempt to pass through that House the Irish University Bill. That Bill had been personally introduced by the right hon. Gentleman, and it was then declared to be a Bill vital to the general interests and prosperity of Ireland. It was described to be a measure which would be the last act of conciliation which Ireland needed at the hands of the Imperial Parliament, and the right hon. Gentleman staked his Ministerial existence on the success of that Bill. Well, it failed. He would not describe at length the resignation of Ministers and their immediate resumption of office; it would be sufficient for his purpose that he should state that the right hon. Gentleman, with the general concurrence of the House, resumed the direction of the House and of affairs, and conducted them during the year 1873 successfully to a close, Parliament having been prorogued as usual about the first week of August. He would not say one word, either, about the Ministerial successes of that year, for their legislative achievements were almost a blank. Well, in August, 1873, when the House was prorogued, the right hon. Gentleman had abundant leisure to consider what course his Cabinet should thereafter pursue. At that time a general impression prevailed that there would be a Dissolution in the autumn at some convenient period. The right hon. Gentleman had been foiled in an attempt to pass a great measure for the pacification of Ireland; but the right hon. Gentleman used always to assert—and he (Mr. Smollett) believed as-

serted still—that the Bill did not meet with fair play in the House of Commons. The right hon. Gentleman asserted that it was defeated by a concurrent effort of the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) and the Roman Catholic hierarchy in Ireland. Well, if the Bill had been defeated by a factious combination of that nature, there would have been abundant opportunities for the right hon. Gentleman, if so disposed, to appeal to the country in the autumn of 1873, and to have gone to it upon the merits of that Bill, and that, probably, would have been done had the right hon. Gentleman entertained the smallest expectation that an appeal to the country under such circumstances would have been successful. But if any idea of that kind ever flashed across his mind, it appeared to have been speedily relinquished, for very shortly after the Prorogation, on the 5th of August, the right hon. Gentleman proceeded to make some modifications of his Cabinet, and when those changes were effected he continued to prorogue the Parliament from time to time agreeably with established custom. At last, on the 20th of November, at a Council held at Her Majesty's Palace at Balmoral, a Proclamation was ordered to be issued by which Parliament was still further prorogued to the 5th of February, 1874, and Her Majesty's Royal Will and Pleasure was signified that Parliament should meet for the despatch of important business on the 5th of February, and the attendance of the Lords Spiritual and Temporal, and of the Members of the House of Commons, was commanded for that day. Now, he contended when a Proclamation of that nature had been published in *The Gazette*, a pledge was given by Her Majesty's Ministers that the Crown would meet the National Council on the day named in the Proclamation, unless some crisis should arise or some emergency crop up which should make another arrangement essentially necessary. Indeed, there was, he believed, only one instance in the constitutional history of Great Britain in which a Parliament summoned to meet for the despatch of Public Business had been dissolved before the day of meeting. That instance occurred in 1606; it was much noticed at the time as a deviation from established usage; and it was then ex-

cused, or rather justified, on the ground that a crisis had arisen; that war had been proclaimed between England and France, and that it was advisable to take the opinions of the constituents upon that particular matter without delay. [Mr. GLADSTONE: Hear, hear!] The fact that intimation of the time when Parliament should really meet was now given two months before the actual date of meeting, was an act of courtesy to the public, to enable them to know when Public and Private Business would be commenced. An honourable understanding had heretofore existed between Ministers and the Members of the Legislature, which enabled them to make their arrangements for the winter without danger of disturbance, and without detriment to their public duties; and it was on that honourable understanding that a great many Members of both Houses last winter went abroad in shoals, as was now the custom, in search of health and recreation, without dreaming that any deceit was intended, or any mischief brewing; but they reckoned without their host. Mischievous was meant, and it came like a clap of thunder upon them, when it was least expected, and at a time when a Dissolution was most inconvenient for the public service. On the 24th of January a notice appeared in the London morning papers that Her Majesty had been advised abruptly to dissolve Parliament, and that a new Election, for which no preparations had been made, would immediately follow. No act of a mere political nature ever created so much astonishment. When it was telegraphed across the country it was universally believed to be a hoax, and the right hon. Member for Montrose (Mr. Baxter), who was then domesticated in the far-off Isle of Sicily, had informed the constituency he represented that the news so far affected his nerves, that for a time he did not know whether he was standing on his head or his heels. In this country, when surprise had somewhat abated, resentment took its place in the mind of the constituencies. The electors determined that they would do their best to get rid of a Government which dealt in these sensational surprises. Contests were got up in almost every locality, although great difficulties were experienced in many places from new candidates not putting in appearance, and ex-Mem-

bers being absent. Nevertheless, the Liberal party was almost universally defeated, and for the first time since 1841 a decisive Conservative majority was returned. The Ministers who had raised the storm in utter wantonness, when no one was dreaming of a Dissolution, bowed to the tempest they had unnecessarily created, and tendered their resignations on the 17th of February. With regard to that, he would only say that nothing in the political life of these Gentlemen so much became them as their political death. That was at once prompt and dignified, and yet on the 20th of March the right hon. Gentleman apologized for the act as if he had committed a misdemeanour. No apology was necessary. If the right hon. Gentleman had stood his ground; if he had refused to resign office until driven from it by an adverse Vote in this House, he and his Colleagues would have been most unmercifully ridiculed as prototypes of the Ministers of a "Happy Land"—kicked here, kicked there, kicked everywhere, and who would yet not resign. There was only one Member of the House, the hon. Member for North Warwickshire (Mr. Newdegate), who thought that the political death of the Ministers was otherwise than honourable; but he was a Gentleman who stuck to precedent, and the more musty the precedent the more he stuck to it. Having thus sketched briefly the circumstances of the Dissolution, he would now proceed to comment on it, and he would at once declare that if the House was not prepared to condemn the act as it ought to be condemned; if, in point of fact, it was not determined to take some legislative action in the matter, then they would be doing their best to establish a precedent of the worst possible character—a precedent which future unscrupulous Ministers—if we ever had such things—would not fail to avail themselves of at the earliest opportunity. He did not object to the Dissolution of the last House of Commons from any admiration of that House. He never was a Member of it. He rarely saw its Members within those walls; but he had read of them in Liberal prints, which somewhat irreverently described them as an antiquated assemblage of soap boilers. Whatever might have been the composition of that House, it was treated with



great indignity by the Minister in being dissolved in the manner it was. The Members of that House, however, who had survived the Dissolution, had their revenge, for they had seen the Ministry who had so served them scattered to the winds at the Election; they had seen many of its Members left out in the cold; some of them had been consigned to oblivion by being pitchforked into another Assembly, while the residue—he would not call them the “residuum,” were sitting at long intervals from each other on the Opposition benches, where some of their ancient associates prophesied they were likely to remain at least a quarter of a century, and to that prediction he said “Amen.” When the late Cabinet was in existence, it was styled by its friends a “great historic Cabinet,” and an “heroic Cabinet.” Of course, any number of Gentlemen who were permitted for a time to sway the destinies of that great nation would have a conspicuous place in the annals of our common country, and so far the Cabinet was historic; but History would be a lying jade, indeed, if she did not record of the right hon. Gentleman and his Colleagues, that, carried into office by a wave of popular sympathy in 1868, they so demeaned themselves in office, that in the course of five years they had alienated the affections of a somewhat subservient and obsequious House, and that the right hon. Gentleman shrank from meeting his friends on the appointed day, the 5th of February. That was surely not an act of heroism, but an act of political cowardice. So, too, when they considered the time and circumstances under which the Dissolution took place. That was not an act of heroism, but an act of political audacity. He might be told the advice given to Her Majesty was strictly legal, and that Her Majesty's Prerogative was not in abeyance; but abstract legality was often at variance with propriety, prudence, and common sense, and the country believed it was so in this instance. On the Continent the Dissolution was universally characterized as a *coup d'état*, which meant, in his judgment, an attempt on the part of a Minister to seize power and place by improper, unconstitutional, and unworthy means, and that was what he charged the late Ministry with endeavouring to do. Parliament on a certain day was ordered to assemble for the transaction of Public

Business; every arrangement was made for their meeting; Members and intending candidates were scattered over the world, never dreaming that their attendance in the interval would be required; there was not a cloud on the political horizon in England, and everything seemed to betoken that the last Session of the Parliament of 1868 would be a quiet one. Abroad there were no omens of disturbance, except the unfortunate war with King Coffee, of whom they had heard more than enough of late. Certainly, during the autumn of 1873 and the winter of 1874 various isolated elections had been held in Great Britain, in several of which the Ministerial candidates had been defeated, but Liberal orators and Liberal statesmen continually assured the country that these Conservative successes were of no earthly value, and could be of no avail in breaking down the compact majority of 60 or 70 votes which the Ministers had at their command. Besides, Ministers had their successes in 1873. They had returned their Attorney General for Taunton, and in Oxford City their Solicitor General had walked over the course. In Newcastle they had achieved a signal triumph, for they had returned by a majority of more than 1,000 votes the candidate of their selection—a Gentleman who was at once a Ministerialist, a Home Ruler, and, he believed, the president of a Republican club. This success was achieved, he believed, so late as the middle of January last, at which time every arrangement had been made for the House to meet, and it now appeared that at that very time the First Minister and his Colleagues were engaged in a plot or secret understanding to get rid of the Parliament to which their Friend had just been elected. To allay all suspicion of what was going on, every artifice seemed to have been resorted to. Circulars had been sent out from the Treasury advising the Friends of the Ministry to attend at the opening of a Parliament which was never to meet. Besides that, Cabinet Councils were held, at which it was ostentatiously stated that the programme of the Session had been successfully arranged; and two or three days before the plot exploded, the right hon. Member for Greenwich rose from his sick couch in Carlton House Terrace, went to his official residence in Downing Street, and there received a deputation



from the North of England, introduced by the newly-elected Member for Newcastle (Mr. Cowen). With these Gentlemen the late Prime Minister took sweet counsel how he and they might best tinker the British Constitution, or what of the British Constitution remained, in the course of a Parliamentary Session which he well knew was not intended to meet. By these devices all suspicion of what was going on was averted; by means like these the pious fraud was consummated. Why, even the right hon. Gentleman the Member for Buckinghamshire, who was generally wide enough awake, was caught napping. He, too, having no suspicions of the designs of the Government, had sent out his circulars to his Friends, inviting them to be present as soon as possible after the opening of the Session. Not only so, but, being "on hospitable thoughts intent," that right hon. Gentleman had issued cards for a great banquet, which was to come off on the 4th of February. It was under these circumstances, in the midst of these festive preparations, on a dark morning in the end of January—the 24th—that the Members of the moribund Parliament found from *The Times* newspaper on their breakfast tables that they had been doomed to death, and this without a note of preparation or a single word of friendly advice. That, to his mind, was sharp practice—practice more likely to come from a sharp attorney's office than to emanate from a Cabinet composed of English Gentlemen. Conduct like that, in his judgment, was calculated to lower the character of English statesmanship throughout the world. In love and war stratagems and surprises were supposed to be fair; but in politics, in his judgment, honesty was the best policy. Certainly, if not the best, at any rate it was the only policy fit for an English gentleman. Therefore, looking to the facts of the case, he was constrained to say the conduct of the right hon. Gentleman the Member for Greenwich was at once ungenerous to his friends, insolent to his opponents, and dishonest to the nation at large. That, however, was not the only matter in which he thought the conduct of the right hon. Gentleman liable to grave censure. The right hon. Gentleman, 36 hours before the appearance of Her Majesty's Proclamation,

dissolving the late and calling together the present Parliament, thought it not unbecoming to issue a manifesto on his own account. That manifesto was of great length; he had heard it described as containing two Queen's Speeches and a Budget. In that manifesto the right hon. Gentleman appeared to fear a disturbance. He did not ask for a season of repose, which they now heard he was so much in want of; he came before the public asking for a renewal of his lease of power for five or six years; he appeared, in fact, like an Irishman asking for fixity of tenure. *The Times* newspaper at the time declared that the right hon. Gentleman appeared before his constituents at Greenwich surrounded by a shower of gold, which would, no doubt, in the hands of the Minister, be as potential with the constituencies as that in which the King of the Gods was enveloped when he came down to seduce Danae. The right hon. Gentleman called on the people of England on that occasion to give him their confidence, and the inducement he held out was a bait so magnificent that the leading journal of Europe, which said it never fawned on the right hon. Gentleman, declared it would have an incalculable effect on the voters. The constituencies, however, refused to swallow the bait; and consequences directly opposite to what the right hon. Gentleman desired ensued. Conduct like that was so extravagant that it could only be excused on the supposition made in "another place," that the late Government had been "ballooning"—that in the course of their aerial voyage they had lost their wits, and were not at the time responsible agents. He had now done with the Dissolution; but before sitting down he must say a few words about the precipitate and scrambling Election which ensued. On that point he would just say that, although in the scramble he happened by chance to get a seat, he could not for the life of him conceive any circumstances which in a time of perfect quiet and contentment could justify the precipitate and indecent speed with which the Election was hurried on. The Queen's Proclamation ordering the Election of a new Parliament was issued on the morning of the 26th of January, and the same afternoon the writs for boroughs were to a great extent in the hands of the Returning Officers. There

was no law requiring them to be issued on the day of the Proclamation; if there was it certainly ought to be abrogated. For the Friday following the nominations were fixed in a great number of boroughs, and on that day a considerable number of hon. Members were returned for places where there was no time or preparation for a contest. The polling was fixed for the first three or four open days in February, and when these were over, the greater portion of the borough elections in England had terminated. In several places, in consequence of this great haste, the electoral machinery had broken down, and that very day an election was going on for Hackney because the voters had no opportunity given to them at the previous Election of recording their suffrages. That itself was a great scandal. And why had all that indecent speed been resorted to? He believed it had been purposely taken to give a great pull at the borough elections to the Liberal Members. The Minister well knew that the strength of the Liberal party lay in the borough constituencies. He knew that possession was nine-tenths of the law. He knew that time and organization, as well as cash, were needed to oust the men in possession. It was to prevent that time and organization from being applied that the Election was hurried on. He had heard the right hon. Member for Greenwich repeatedly in his place in Parliament, talk of the necessity and propriety of extending the franchise. They all remembered "his flesh and blood" argument, and he (Mr. Smollett) had heard him declare that every sane man of mature age untainted by crime had abstractly the right to vote for a Member to represent him in Parliament. But if they were to have universal suffrage and electoral districts—and they were coming to that—was time and opportunity not to be given to constituencies to look for men to represent them? An adequate amount of time to make a free choice of a representative was fully as important to the voters as the protection of the Ballot; and it had just been to prevent them from having this advantage, that unnecessary haste had been shown at the last Election. He might be asked—"Why dwell upon these disagreeable topics, which are so very grating to sensitive minds?" He might be told of the engineer who was

*Mr. Smollett*

hoisted by his own petard—of the plot that had failed—of the stratagem which had recoiled upon the trickster. For his own part, he was very glad that the right hon. Gentleman and his Colleagues, in taking that strange and false step, had been tripped up and had got an awful header; but, beyond that, something must be done to protect those who had the right to exercise the franchise, but who might be deprived of the opportunity by a repetition of a *coup d'état* similar to that lately performed by the right hon. Gentleman. He would suggest that, besides expressing their regret at the things which had occurred, they should take some legislative action in the matter. He could not see why a Bill should not be introduced with the consent of Her Majesty's Ministers, requiring that in future when any General Election was brought about by surprise, and without previous notice, no writ should be issued for five or six days after the publication of the Proclamation in *The Gazette*. A Bill like that would not block Temple Bar, even in the present Session. It would be a plain, honest measure of constitutional law, such as he thought was very much needed; and there was no reason to fear that it would be a leap in the dark. When a Member of the House died, it was reckoned indecorous to apply for a new Writ till five or six days had elapsed, and if that course was taken on ordinary occasions, how much more necessary did it become in the case of a Dissolution of Parliament, which gave rise to 300 or 400 different elections? Some such measure as he had suggested was absolutely necessary, in order to protect Her Majesty's Prerogative from being dragged through the mud, and to protect the people of this country from the evils attending the indecent haste with which the last Election had been carried on. The hon. Gentleman concluded by moving the Resolution of which he had given Notice.

After a pause,

MR. SPEAKER: Does any hon. Member second the Motion?

MR. WHALLEY: Sir, I second the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the advice given to the Crown by Her Majesty's late Ministers

to dismiss the last Parliament upon the 26th January last, in an abrupt manner and without any previous warning, at a time when both Houses had been summoned to meet for the despatch of public business, and when no emergency had arisen for such a step, is censurable; and further, that the precipitate appeal to the Constituencies consequent on such Dissolution is opposed to the spirit of the Constitution,"—  
(*Mr. Smollett*,)

—instead thereof.

**MR. GLADSTONE:** Sir, as the Motion of the hon. Gentleman the Member for Cambridge (*Mr. Smollett*) has been so fortunate, after a short period of delay and anxiety, as to find a seconder in my hon. Friend the Member for Peterborough (*Mr. Whalley*), I feel that the authority and weight of these two distinguished Gentlemen, combined in a formidable endeavour aimed principally, if not exclusively, against myself—of which I do not complain, for I think that was inseparable from the nature of the case—make it necessary for me to lose no time in replying to the speech of the hon. Gentleman the Member for Cambridge. At the same time, I think it would have been a great assistance to me if the hon. Secunder of the Motion had pursued the practice which is usually, though not invariably, pursued in this House, and had disclosed the weighty motives and considerations that induced him to give the almost immeasurable advantage of his countenance to the proposal. Now, the hon. Gentleman the Member for Cambridge approaches this question under conditions which in some respects make it a little difficult to contend with him, for his claim amounts to nothing less than this—that he shall be permitted to state both sides of a contradictory proposition, and to take advantage, first of one, and then of the other. The hon. Gentleman says, for example, that it was an act of cowardice on the part of the late Advisers of the Crown to take any step which relieved them from the responsibility and the duty of meeting the late Parliament; and he then goes on to say that it was an act of audacity on their part to dissolve. Well, Sir, as the act which relieved us from our responsibility and the act which brought about the General Election were one and the same, it is for the hon. Gentleman to explain how he can call on the House to censure it both as an act of cowardice and as an act of audacity. That, however, is a matter of small im-

portance, and I shall pass on to a point of much greater consequence. The hon. Gentleman—who has studiously assured us that he has not consulted any Friends in relation to the Motion—though I presume he made an exception in favour of the hon. Gentleman who seconded it—has described the facts of history and the principles of the Constitution as “musty precedents,” and yet has founded his proposition on what he calls, I think, an historical retrospect. Now, I complain of the historical retrospect of the hon. Gentleman. Although his name seems to give him a title to quote history, I doubt whether the specimen he has given us to-day of his powers in that direction, and especially of his accuracy and fidelity in the statement of facts, will add greatly to the lustre with which that name may previously have been surrounded. Sir, what the hon. Gentleman calls history, I call romance, and I will proceed to give the House the means of judging whether he or I can best justify the title which we affix to the recital of what purports to be fact. There are several distinct charges which the hon. Gentleman has brought. I call them charges, because it is my duty to treat this matter seriously; and, indeed, everything of this nature relating to the Crown must be serious in itself, whatever may be the manner in which it is brought forward. With that in view, I have endeavoured to follow the speech of the hon. Gentleman with all possible care in order to extract from the midst of his jokes, and his invectives, and his references to what he terms history, the charges upon which he founds the Resolution which he asks the House to adopt. In the first place, I object to the Resolution; not that I intend to give any vote on the subject, for I need not say that having submitted to the House those remarks which seem to me called for, I shall at once withdraw, as the Motion has so direct a reference to myself, and offer no further opposition to the hon. Members for Cambridge and Peterborough. I object, I say, to the Resolution, on the ground that it is a great deal too weak and emasculated when compared with the speech of the hon. Gentleman. In the Resolution the hon. Gentleman objects to the precipitate and abrupt manner in which, without previous warning, the country was invited to give its opinion upon the further existence of the

Government. He describes what undoubtedly are offences, although, I apprehend, they are offences of a kind which, even if they were proved, it might not be politic for this House to take notice of. But the hon. Gentleman in his speech has not confined himself to the statement of offences such as these. The hon. Gentleman observes that he has grown rusty during the five years of his enforced absence from Parliament, and he observes that the Parliament in which he did not secure a seat was, in his opinion, a very indifferent Parliament. I have no doubt of the sincerity of that declaration. But let me comfort the hon. Gentleman by assuring him that if he has grown rusty in his oratory—and I must confess it appears to me he is as brilliant now as at any former period—he has certainly not lost in any respect the faculty which I remember he possessed in other years in a remarkable degree—indeed, I think he has even improved in it during his five years of exile—I mean the faculty of using hard words. He says, the conduct to which he refers was “ungenerous.” That, however, is a small matter, and I shall let it pass. But he goes on to say that it was “insolent;” that it “insulted the nation;” that it was barely honest. He talks significantly of honesty being the best policy, and he calls the person against whom his Motion is aimed a “trickster.” He says, that it was far from his wish to use strong language, and far be it from me to say that the use of strong language in this House is censurable. I think the use of strong language, however, should be judged entirely with reference to the facts on which it rests; and I shall go further, and say that this strong language of the hon. Gentleman was backed up by certain statements, which if they could have been made good—if a single shred or tittle of evidence could have been produced in support of them—would have gone far to justify him in the course he has taken. I will first deal with the other charge of a precipitate appeal to the Constituencies in order to clear the way to the main issue which the hon. Gentleman has raised. The hon. Gentleman in his Resolution says—

“And further, that the precipitate appeal to the Constituencies consequent on such Dissolution is opposed to the spirit of the Constitution.”

*Mr. Gladstone*

Now, Sir with the precipitancy of the Dissolution and everything that concerns the Dissolution we have to do, but with the precipitancy of the appeal to the Constituencies, as apart from the Dissolution, we have nothing to do. That is a mere question of the use of established machinery. But the hon. Gentleman seems to think that the Government ought to have exercised some discretion—that we should have given instructions to the executive officers of the Crown not to send out the writs for calling Parliament together in the usual manner, but that we should have adopted some new method of proceeding. I hardly think that the hon. Gentleman himself would be disposed to adhere to such a charge. Everything that follows a Dissolution is a pure matter of routine. The Crown Office invariably proceeds on the principle that as soon as the Dissolution is declared, the sooner the questions connected with it are brought to a practical issue the better. Those officers act upon the principle that when certain orders reach them from the Crown, their business is to give effect to those orders with all possible despatch. Now, Sir, there have been several statements made by the hon. Gentleman and by others with which I will proceed to deal. He says, that it was a most gross offence on my part, in an address to a constituency, to set forth the measures which it was the intention of the Government to propose, and which we thought would be acceptable to the country, and would incline the country to return a Parliament of the same character as that of 1868. And that, as is said by the hon. Gentleman, was a strange and almost monstrous offence. Has the hon. Gentleman—who disclaims all precedents as musty precedents, when he thinks they do not serve his purpose—never read any of the addresses published by the responsible Advisers of the Crown on the eve of a Dissolution of Parliament? He has never read, I presume, the rather celebrated address of Sir Robert Peel in 1834-5, in which that celebrated statesman set forth in the utmost detail all the measures he intended to submit to Parliament, with the very view of producing, and with the result of producing, a very remarkable effect upon the constituencies favourable to himself. I will take another instance, of the right hon. Gentleman opposite, the Member for Bucking-



hamshire (Mr. Disraeli). In 1852 he published a short address to his constituents, in which he declared that the Government to which he then belonged—the Government of Lord Derby, and of which he was the principal organ in this House—would have for its first object to relieve the agricultural interest from taxes which, at that period, in the opinion of the Government, bore hardly upon that interest. Did the hon. Member ever read the address, or was it anterior to the happy day of the birth of the hon. Gentleman into the political world? Sir, it is not only allowable on the part of a Minister, but it is his absolute duty, whether considered as a citizen or a party man, when he advises the Crown to dissolve Parliament, to set forth as well as he can to his own constituents the motives and considerations which he thinks ought to incline them to give their verdict in his favour. That is also one of the lighter matters he touched upon. I now come back to another point. The hon. Gentleman says, that this Dissolution occurred after the announcement that Parliament was summoned to meet for the despatch of business. That is perfectly true. He says that such cases are rare, and there again he is right. But he has not taken notice of the fact that of late years, owing to some change of circumstances, it has become the practice to prorogue Parliament for much longer periods than was formerly the case. If the hon. Gentleman had examined that very case of 1806—of which some one seems to have informed him—he would have found that the Prorogations were then much shorter. The Prorogation last November was made known to the public on the 17th of that month, and Parliament was prorogued to the 5th of February, or more than one-fifth of the entire year, and it is impossible to hold that a Prerogative such as that of the Dissolution of Parliament can possibly be placed in abeyance by a notification published so long beforehand. If the doctrine of the hon. Gentleman be sound, the effect must be this—that instead of these long Prorogations, and instead of giving to Members of Parliament the longest possible notice for their convenience, the Crown, in order to save its Prerogative, must resort to shorter Prorogations, and it can only be for a period of three or four weeks that the Prorogation can be

made. The hon. Gentleman admits that there is a precedent in 1806, and he proceeds to comment upon it; and here, at length, I come across the path of the hon. Gentleman in the field of authentic history. The hon. Member says that the Dissolution was much noticed at the time; I say, it was not noticed in the sense or for the purpose mentioned by the hon. Gentleman. It was commented upon with reference to the excitement of religious passions; but it had no reference to the abrupt and precipitate Dissolution of Parliament upon which he dwells. The hon. Gentleman has invented—with perfect unconsciousness, I am sure, for I would not suggest for a moment that he has knowingly foisted into history what does not exist there—that he discovered a justification of that Dissolution of 1806. And what is it? His justification is that in 1806 war with France was proclaimed. And that is the history of the hon. Gentleman! Has he ever heard of the battle of Trafalgar? Does he know anything of Austerlitz? Has he ever heard of the death of Pitt and of the concern of Pitt in the fortunes of the war which was going on in 1805, when that great luminary was unhappily extinguished? But that is ancient history. The hon. Gentleman has shown another most remarkable faculty in producing what I did not believe any one would have produced—namely, musty modern history, and that is a very fine thing indeed. His history of the last year, of the last few months, and the last few weeks, is as musty as any history he could extract from the records of Egypt and Assyria. He has certainly produced a charge of the most grave character, and I do not wish him to suppose that I am going to treat it lightly. He says, that the Government proceeded to organize the Dissolution in secret—to concoct a plot under which they were to go to the country. Well, if the hon. Gentleman can show that, I am not the man to object to the severest censure that he can inflict; but there is not a single shred of evidence in support of that statement. It is not only untrue, but absurd; and not only absurd, but impossible. What are the statements in support of that allegation? The hon. Gentleman says, that instructions were conveyed from the Treasury to Members of the Liberal party that a Dissolution was about to take place.



MR. SMOLLETT: No, I did not say so.

MR. GLADSTONE: Well, what was it then?

MR. SMOLLETT: What I said was, that the usual circular had been sent out inviting the Liberal Members to attend.

MR. GLADSTONE: Suppose the usual circular had been sent out inviting the Members of the Liberal party to attend on the 5th of February, how would that tend to support the allegation of the hon. Gentleman, that we were prosecuting a plot for the purpose of deceiving our opponents, while we were enabling our friends to have the advantage of the knowledge we possessed?

MR. SMOLLETT: I said, deceiving not the opponents of the Government, but the country.

MR. GLADSTONE: Did we deceive our own friends and opponents alike?—for the charge of the hon. Gentleman rests on this, that we were deceiving those opposed to us, and seeking an advantage for our friends. If that were true, the usual circular would have been perfectly irrelevant; but besides being irrelevant it is absolutely untrue. No circular whatever went out from the Treasury, except that the circular was contemporaneous with the Dissolution. It is true a deputation, which had been arranged for three months before, waited on me a few days before relative to the county franchise; but on that occasion not a word was said by me as to the course that would be taken in this coming Session of Parliament. That was the second point of the hon. Gentleman. The third point was, that notice of a banquet, and of coming convivial engagements, was issued; and here again I must say I think the musty history of the hon. Gentleman is at fault. There were no invitations to a banquet, and no convivial expectations or hospitality whatever; and there is not a single shred or word of relevancy or accuracy in any of those three statements which the hon. Gentleman has made—and which he knows he has made—to sustain the grave charge that we proceeded to organize the Dissolution in secret, and that we deserve to be branded by him with the name of tricksters.

MR. SMOLLETT: I did not bring any such charges as the right hon.

Gentleman is endeavouring to make out. I spoke of an invitation to a banquet issued by the right hon. Gentleman the Member for Buckinghamshire.

MR. GLADSTONE: I want to know in what manner a circular of the right hon. Gentleman the Member for Buckinghamshire could be regarded in any way as a declaration of our intentions, or as an indication that we were in consultation with the right hon. Gentleman the Member for Buckinghamshire as to the issue of that circular. What I wish to point out is this—I repeat that the hon. Gentleman has made the charge that the Dissolution was organized in secret, and that those who organized it are to be branded with the name of “tricksters.” I want to know whether the hon. Gentleman adheres, or does not adhere, to that name of “tricksters.” Now, let the hon. Gentleman, if he likes, rise in his place, and give a plain answer to a plain question.

MR. SMOLLETT: I shall not rise in my place again.

MR. GLADSTONE: Then it comes to this—that when the hon. Gentleman thinks that he can gain some advantage by an explanation, he is perfectly ready to rise; but when he is called upon and is challenged upon this matter by men who are entitled to the same respect as himself, when he has addressed the offensive and insulting name of “tricksters” to those hon. Gentlemen, and is asked whether he adheres to his charge, he has not the decency to say—he has not the manliness to say—that he does, but keeps an ignoble silence, and takes refuge under it from the consequences of his act. I, however, wish to meet an opponent in the fair and open field of discussion, satisfied that the issue there will be an issue favourable enough to justice and truth. I have now done with what may seem the most exciting and interesting element in this discussion, and I now proceed to deal with the terms of the Motion, which I may say appear prosaic, and do not present in any shape an adequate idea of the very high flight exhibited by the hon. Gentleman this evening. I hope, after a life spent in the public service, if I have exhibited any warmth in resenting such a charge as that we are tricksters, that that warmth does not require any very ample apology. Well, then, I come to the common sense of

the subject, if I may so call it, and it is not the common sense of it that we have been dealing with hitherto. The hon. Gentleman has stated very truly that this was an abrupt Dissolution, and the abruptness of the Dissolution is a question to which I thought him perfectly entitled to call attention. I justify that abruptness by the peculiar circumstances out of which it sprang, and I will endeavour to remind the House what those peculiar circumstances were. The hon. Gentleman is here, I think, under a great misapprehension. He stated that our condition was very satisfactory, that we had conducted the business of the House last year with success, that all was perfectly smooth and easy at the time of the Prorogation and during the Recess. But if the hon. Gentleman had read an article in the last number of a most respectable organ of the party to which he belongs—namely, *The Quarterly Review*—he would have found in it a statement, that at the opening of the year they did not know what was going to happen; that it was a time of political disquietude, and of great uneasiness in the minds of men. Of course, they proceeded to contrast all that uneasiness and disquietude with the perfect satisfaction and calm contentment which had prevailed since the Dissolution, and since it was known that the affairs of the country were to be managed by safe men, instead of unsafe men. That is a perfectly legitimate advantage for them to take; but I wish to point out how wrong the hon. Gentleman is, if he supposes that at the commencement of this year, or at any period during the last 12 months, the position of the Government has been a position free from doubt and difficulty. Our position was peculiar in two respects. As to the bye or single elections, the hon. Member denounced the absurdity of Liberal orators who attached no sort of consequence to them. That was never the language of the late Government. I, for my part, attached great importance to those elections. I conceived it was a peculiarity of which I knew no parallel within the Parliamentary experience of the present century. We have had many Parliaments in which slight indications of change of popular opinion were given by single elections. I think the Parliament which met in 1837, and was dissolved in 1841, was an instance

of that kind; but I have never known a Parliament—subject always to the peculiar historical knowledge of the hon. Member—in which single elections of themselves went so far towards establishing a presumption that the opinion of the country had changed with reference to the politics of those whom it desired to conduct public affairs as that of the last, and the consequence was that from time to time it was a matter of inquiry to us whether our position gave us the strength that was necessary to enable us to conduct with dignity and with credit the affairs of the country. The other point, which the hon. Gentleman has not taken into his view is this—that since March last we could not resort to that alternative which, under all ordinary circumstances, is open to a Government—namely, the alternative of resignation. It was not possible for us in the month of January to take that course. What we had to consider was this—is our strength sufficient to enable us to go with credit through the work we have to do; or if we have not that strength, shall we advise Her Majesty to dissolve Parliament? That was a peculiarity in our position of which the hon. Gentleman took no notice whatever, and without which it is totally impossible for him to comprehend the position in which we stood. With regard to the question of convenience, I really think it would be difficult to base a sound argument upon that. I am not quite sure, with reference to the ultimate result, that a very long notice of Dissolution, such as is commonly given, more as the result of circumstances than of direct intention, is best for the well-being of the country, or even for the comfort of hon. Members. Do not, however, suppose that I state this as a justification of our policy. I admit that the act was externally an abrupt act; but I submit it was justified by the special circumstances of the case. The principle on which we proceeded was, that at all times—it does not signify whether it is after a Session, whether it is before a Session, or whether it is during a Session—it is the duty of Government not merely to be waiting for some Vote of Censure from this House, but to consider within itself and for itself, whether it has with the existing House of Commons the means of carrying on the Government of the country.

The party opposite, for instance, three times found occasion within the course of 15 years to ask the country the simple question, whether it desired that the heads of that party should continue in office; and it is an admitted right of a Government to appeal to the country upon the question, although, of course, they ought not to do so repeatedly or factitiously. But here was a Parliament with respect to which the hon. Gentleman himself let drop, in one of his more lucid moments, a statement that in the autumn everybody expected a Dissolution, and our friends of *The Quarterly Review* also say, that at the commencement of the year everybody was looking for a Dissolution. Not only that, but what said the right hon. Gentleman the present Prime Minister at Glasgow last year? His words were these—"We well know that a General Election is at hand." Do not let it be for a moment supposed that I mean to say a Dissolution was expected at the particular time it actually occurred; but I say that at all times it is a prime duty of Government to consider and examine the question of its strength, as compared with the duties it has to perform; and, if it has not sufficient strength, it is the duty of the Government to resign or dissolve. However, if in peculiar circumstances, such as those of last year, there is no power of resignation in its hands, the only course open to the Government is to advise a Dissolution. Such is the case as far as principle is concerned; but now I want to test a little further the question of convenience. I will tell the hon. Gentleman, and the House, what were our anticipations. In the beginning of January we had before us a full view of the financial possibilities of the year. The *data* had not been absolutely fixed, our Estimates were not decided upon, but both lay within a certain margin, and on the whole, we perceived what would be the financial possibilities of the year. We knew very well, that great things might be done in the way of popular relief from taxation, and, when practical inconvenience is not incurred by a premature Dissolution, I know of nothing which is more entirely within the legitimate province of the country to entertain than the nature of the taxes which every person in the country is to be called upon to pay. But together with that, we looked at the

question of local taxation. We had endeavoured to deal with the question piecemeal. I will not enter now into the reasons why our endeavours produced little effect, for that would import into this discussion a controversy which I would rather exclude; but we had made attempts to deal with portions of the question, and we saw plainly it would be our duty to endeavour to deal with the whole of it during the present year. Now, I appeal to the House on the point I am going to state. The view we entertained was, that that was by no means a mere money question, but one full of danger to self-government, to public economy, and to sound principles of taxation, and that we ought not to begin by giving away the money, and afterwards seeing what we could do with the question of reform. It was plain that the handling of the question required the full strength of the Government; but at that very period, according to our view, the course of the elections in the month of January was extremely unfavourable. Thus, while we had before us the prospect of a most arduous Session, we had likewise the evidence of the continual progress of that sapping process which was taking away piecemeal the Parliamentary strength on which we had to depend; and, in saying that, I do not mean merely the numerical process of taking away first one vote and then another vote; it was the loss of authority which was continually going on. I admit the inconvenience of a Dissolution in January; but what was the alternative? I have no doubt that a few hon. Gentlemen who were travelling abroad suffered serious inconvenience from the suddenness of the Dissolution, and some of them in consequence do not now sit on what I consider the right side of the House, although it happens at present to be the left. But what I should like to know is this—Is there not something more inconvenient than a Dissolution immediately before a Session—namely, a Dissolution in the Session? The hon. Gentleman has very little respect for my opinion, and he has described my qualities of mind with the delicacy of language which is peculiar to himself. Still, a man cannot help sometimes trusting his own judgment. Well, it was my deliberate and distinct opinion in January, as it is still, that it would not have

*Mr. Gladstone*

been in our power, considering the loss of authority we were continually suffering from, to deal in a satisfactory manner with the difficulties and intricacies of the subject of local taxation and all the consequences it involves. We should have begun the Session, and, after passing the uncontested portions of the Budget Estimates, we should have been in honour bound to carry the House into the thick of all the questions relating to local taxation. We should probably have broken down in the endeavour to deal effectually with this question, and about May or June it would have been our duty to dissolve Parliament. Admitting that, and admitting the inconvenience which has occurred, I would ask any hon. Gentleman whether he thinks there would have been greater convenience if we had ourselves initiated and carried to a certain point the proceedings of the Session, and then, when nothing but initial stages had been made and no real progress effected, had dissolved Parliament, and brought hon. Gentlemen opposite into power at a period when they could only deal in the most formal manner with the business of the Session. I hope I have given a satisfactory account of this portion of the case, which I admit is a very fair subject for calm, reasonable, and dispassionate discussion. I have not endeavoured to set the case too high. I have not stated that it was a thing conformable to general practice, but that it was a thing done in satisfaction of a primary duty; and that, although of necessity it was done in a manner which entailed certain inconvenience, yet according to my conscientious belief and the best judgment I could form, the amount of inconvenience so entailed, and the loss of the public time, which was the chief part of the inconvenience, was considerably less than if we had endeavoured still to cling to office in the state of affairs which we then saw around us. I am bound, however, to say one thing more before I sit down, and that is, I do not regret the Motion of the hon. Gentleman, and although he seems to think it a small matter indeed to put in operation the enormous power of this House; yet after the temper he has shown to-night, I will take care he never receives from me any request in relation to his proceedings; and I do not object to his taking what steps he pleases in regard

to this or any other proposition. Still, there is with me one subject of regret. The result of the Elections was probably not that which was expected by Gentlemen on either side of the House. I admit it was not that which was expected by myself. I was not greatly sanguine; I did not feel any certainty whether we should have a majority or not. I felt the necessity of asking the question of the country; but I admit I did not expect the opinion—I will not say of the nation, but of the constituencies who constitute the nation for the practical purposes of an election—would place hon. Gentlemen opposite in office with so clear and considerable a majority. Therefore, my regret is, not that the Dissolution took place when it did, but that it did not take place before, for I am not willing to hold office under any circumstances, with a minority either in this House or the country. It is repugnant to my feelings, and not compatible with the best interests of the country that a Government should continue to govern, even with a numerical majority, when its strength is falling away, and when there are daily increasing evidences that it no longer represents the will and opinions of the constituencies. That is the regret of which I have to make a frank expression. Had I known as well as I know now what was to take place, it would not have been upon the 24th of January or the 24th of December, nor upon any day in January or December, but at a much earlier period, that my Colleagues and myself would have advised the Crown to dissolve. That is the reply which I have to make to the hon. Gentleman's Motion. I do not ask him to withdraw it. I do not complain of much that he charged against the late Prime Minister. The more that he says about such charges against the late Prime Minister in this House the better. Responsibility in such a case, if it is deserved, cannot be too definitively brought home. I accept the responsibility cast upon me. I do not evade it. I do not flinch from it. I have made my justification, and I shall retire from the House while this discussion yet lasts to wait its decision, and to receive with satisfaction what that decision shall be, reserving at the same time my right to act as circumstances may render necessary.



MR. WHALLEY said, he wished to say a few words to explain why he had seconded the Motion of the hon. Member for Cambridge (Mr. Smollett). After the clear statement of the hon. Member he felt that some explanation was necessary on the part of the right hon. Gentleman the late Prime Minister, whose course and conduct during the last five years had brought disgrace on the Liberal Party of this country in the eyes of Europe. During those five years he (Mr. Whalley) had more frequently voted against the right hon. Gentleman than any Member of the House, and at the General Election of 1868 he was the only one who foretold that the right hon. Gentleman would inevitably break up the Liberal Party. He was quite content with the fulfilment of this prophecy, and perhaps he ought not to have intruded on the attention of the House; but he felt bound to say that the hon. Member for Cambridge did not charge the right hon. Gentleman with being "a trickster." What the hon. Member said—and he fully agreed with him—was that the right hon. Gentleman had done "a distinct Parliamentary trick;" and after hearing the right hon. Gentleman he (Mr. Whalley) in a Parliamentary sense, repeated that there was no other phrase in the language which could describe it better. It was "a Parliamentary trick," for the purpose of obtaining—speaking always in a Parliamentary sense—a majority upon false pretences. The right hon. Gentleman distinctly alleged that he had a surplus of £5,000,000, and would take off the income tax. That was a false pretence; for if it were not, why did the right hon. Gentleman make the speech he did last night? The country acted rightly in dismissing the late Government and depriving so many hon. Members on that side of their seats, for they had disgraced this country before Europe. He was glad to have the opportunity of protesting against the great inconvenience to which he had been subjected. It was all very well for the right hon. Gentleman to express regret for the inconvenience he had put some Gentlemen to who were not now Members of the House; but his was the greatest inconvenience of all. That Dissolution liberated him from prison. Being a Member of Parliament, he believed if he had continued in prison until the question of his imprisonment

had been brought fairly before the House, as he intended it should be, he would have prevented the recurrence of that which in his humble judgment was a serious inroad on the rights and Privileges of the House of Commons. He—humble and insignificant as he was—would have been the means of bringing before the House an exercise of authority by the Judges of the land, unprecedented, monstrous, most injurious, which would sap the foundations of confidence in the administration of justice—[*Laughter*; "Question!"]—well, he withdrew what he was going to say, and begged pardon for having introduced a subject on which he felt deeply, but not on his own account. But he was resolved to undergo imprisonment, in the hope that the House might have felt called upon to inquire into the circumstances under which he was discovered in prison on the morning of the 24th of January. He would now return to the serious part of the question, and ask the House whether the right hon. Gentleman had answered the charges which had been brought against him by the hon. Member opposite. It was most plain that when the late Government thought fit to call upon the country to return a new House of Commons, especially under the circumstances stated by the right hon. Gentleman—circumstances involving the settlement of the question of local taxation and the abolition of the income tax—time ought to have been afforded for deliberation, and hon. Gentlemen in Sicily, in prison, or elsewhere, ought not to have been sent on a sudden before their constituents. He would not go further. He would leave it to the Prime Minister to rebuke the right hon. Member for Greenwich, and to enunciate those constitutional principles which he was in the habit of defending in the House with much greater effect than could be done by the furious, impassioned, unreasoning addresses of the right hon. Gentleman the Member for Greenwich. He submitted that the right hon. Gentleman had not given sufficient reason for having inflicted on the country a sudden Dissolution. When he seconded the Motion of the hon. Member for Cambridge he had not fully made up his mind whether he should vote for it or not; but after hearing the right hon. Gentleman's explanation, he would, if the Motion were carried to a division, cordially vote with



the hon. Member for Cambridge. So far as he understood the hon. Member for Cambridge, he brought forward his Motion in a temperate manner, and therefore he supported him.

SIR GEORGE BOWYER said, he very much regretted that the Motion had been brought forward, because the question had been discussed at the beginning of the Session, and that was sufficient; while the discussion of the question at the present moment only served to produce feelings of acrimony which were to be regretted. He thought the hon. Member for Cambridge should withdraw his Motion. ["No, no!"] He thought, by doing so, the hon. Gentleman would show good feeling, and also that he did not mean to use those expressions which in the heat of argument he had used, and he thought the withdrawal of the Motion would come gracefully from him. The Motion having been made, he had contemplated seconding it, in order to afford the right hon. Gentleman the Member for Greenwich the opportunity of making the speech he had made in reply.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*.

#### POST OFFICE—POSTAL FACILITIES IN MAYO.—OBSERVATIONS. QUESTION.

MR. TIGHE, in rising to call the attention of the Postmaster General to the fact that out of twenty-five Money Order Offices in Mayo, fifteen only are supplied with telegraphic communication; that the barony of Erris, with a population of about 18,000, is without a Postal Telegraph Station; and to ask if he purposes extending wires to any of the Money Order Offices in Mayo at present unconnected with the Postal Telegraph Department; and, if he intends establishing a Money Order Office at Ballycroy, in the county of Mayo, said, as a proof of the inconvenience caused by the existing state of circumstances, that there were places in Mayo where a Post Office Order could not be obtained or cashed without travelling a distance of 21 miles. He wished merely to call the noble Lord's attention to the matter in the hope that he would correct it. All he asked was that the people of Mayo, and particularly the people of the localities alluded to, should get the

same advantages and privileges as were accorded to the people of Great Britain.

LORD JOHN MANNERS said, that there was no occasion for the hon. Gentleman to apologize for bringing the subject forward, for he quite agreed that it was a fit matter to bring before the House. With respect to the question, he was only able to say generally that telegraphic communication in Ireland was, as a rule, rather ahead than behind telegraphic communication in Great Britain. With respect to the telegraphic communication of Mayo, it was almost exactly the same as in Great Britain; but respecting the particular barony of Erris, in the whole of that barony there was no Post Office having telegraphic communication attached to it; and he was afraid the reason was the very obvious one, that in the whole of the barony there was not a single town or village which had 1,000 inhabitants. It was true that Belmullet was a seaport town, which was 40 miles from any telegraphic station; but if the wires were taken there, it was doubtful whether the business would produce any adequate return. As to Ballycroy, an application had been already made to establish a Money Order Office in that town, and was now under the consideration of the Post Office in Dublin, and he hoped ere long to receive information upon the subject.

MR. MITCHELL HENRY said, that the usual answer to inquiries of this kind was, that the district in question was as well off as other parts of the Kingdom; but he submitted that was not a fair mode of dealing with the subject. The sparseness of population was not necessarily a sufficient answer respecting public accommodation, of which the Government had a monopoly, and the postal communications of Mayo were disgraceful to a civilized country. The wants of particular districts ought to be taken into account as well as population; but to set up some pedantic rule that there should be so many Post Offices to so many thousand inhabitants, was extremely unfair to thinly inhabited places, and was to conduct the Post Office services in a narrow spirit quite opposed to the national wishes. There were some parts of Mayo, within a short distance of the county of Galway, in which answers to letters could not be obtained in less than four days. Indeed, it was

easier to write to Paris than to write from Mayo to the county of Galway. The Post Office was a monopoly of the most serious kind, and the only ground upon which it could be defended was that it did its work reasonably well for the country, so that none of the subjects of Her Majesty could fairly complain; but that was not the case in Mayo, or in other parts of Ireland. He had repeatedly brought this subject under the attention of the noble Lord who was at the head of the Post Office in the late Administration; but although he always met with that courtesy and sympathy for which Lord Emly was proverbial, he had never succeeded in overcoming the inertia and routine of the Government officials. They seemed to look upon the Post Office altogether as a Revenue Department, which it never was, and which he believed the country would never permit it to be. The first consideration was efficiency, and if after that there was a surplus, well and good; and he was quite sure, that even if only a small part of the subsidies bestowed, perhaps wisely, on promoting postal communication with foreign countries, but now in a great measure withdrawn, were devoted to postal purposes in this country it would afford great satisfaction. Nothing tended more to the civilization of remote districts than facilities of postal communications; but if this was looked at as merely a question of £ s. d., and if every Post Office was to be expected to pay its expenses in the first year of its establishment, we should never have anything like a proper system of postal management. He made these observations in the earnest hope that the present Postmaster General would form his own opinion upon these matters; for in cases within his own knowledge, Post Offices which somebody had guaranteed in the first instance, because the Post Office would not establish them without being secured against immediate loss—which he thought a narrow and objectionable view of a public duty—had in the course of a very short time so increased correspondence as to pay very well. He repeated that the Post Office monopoly could not be justified, unless it was thoroughly efficient, liberal, and satisfactory in all its dealings with the public.

CAPTAIN NOLAN contended that it was the duty of the Government to pro-

vide postal communication for the people, and as a proof would instance the case of the Islands of Arran, where, through the influence of the late Marquess of Clanricarde, it was established several years ago.

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

#### SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

##### CLASS I. PUBLIC WORKS AND BUILDINGS.

(1.) £28,630, to complete the sum for the Royal Palaces.

MR. DILLWYN said, he should make no objection whatever to any expenses incurred for keeping the palaces occupied by Her Majesty in proper order; but he did, to those not so occupied, and in keeping up which the country was put to great expense. As some of the present occupants would probably gladly leave them, if they were compensated in some way, he would suggest that arrangements might be made with that object in view. If, however, the present system were to be continued, he would suggest that it would be better to convert them into commodious lodging-houses than keep them as they now were. There was Kensington Palace, for example, which cost last year for repairs £1,156, but was put down in the present Estimates for £4,656. Then, again, there were Kew and Hampton Court, and other places, as regarded which he hoped his noble Friend would make some arrangements, so that they might be appropriated to public purposes.

LORD HENRY LENNOX said, he would remind the hon. Gentleman that most of the palaces mentioned in the Vote, such as Hampton Court, Kew, Bushey Park, &c., were places of public recreation and amusement. It was necessary that a considerable sum should be expended on Kensington Palace to keep in repair the apartments formerly occupied by the late Duchess of Inverness, and which Her Majesty had assigned to her daughter the Princess Louise, the Marchioness of Lorne.

Vote *agreed to*.

(2.) £88,266, to complete the sum for the Royal Parks and Pleasure Gardens.

MR. BERESFORD HOPE asked what it was proposed to do with the

*Mr. Mitchell Henry*

semi-circular colonnade which had been saved—thanks to the noble Lord the now Postmaster General—when Burlington House was demolished, and which had since lain forgotten in some corner. From its beauty it deserved to be regarded as an interesting historical monument. It would, he suggested, make a handsome termination of a long straight avenue in some public park, such as Kew or Kensington Gardens.

MR. NEVILLE-GRENVILLE thought the state of the drainage of St. James's Park required attention in some respects, and wished to know what had become of the statue of Sir Robert Peel, which once stood near the house that statesman had occupied, but had lately been taken away.

MR. BECKETT-DENISON asked, whether the regulations transferring the care of Battersea Park from the park-keepers to the police had come into operation?

LORD HENRY LENNOX said, that the "historical monument" to which the hon. Member for Cambridge University (Mr. Beresford Hope) had referred, was at present in Battersea Park. He believed one of his predecessors had had an idea of utilizing it as the façade of a sort of summer-house which was proposed for the use of the people. Suggestions would be made, he hoped, by persons of taste, and the matter would not be lost sight of. With regard to Battersea Park, a strong feeling had been excited in the neighbourhood against the proposal to transfer the custody of the Park from the park-keepers to the police, and a very influential deputation had waited upon him in opposition to that course. The clergy of the district assured him that the utmost order had prevailed in the Park, and he had ascertained that the offences during the last 10 years had been almost *nil*. In deference, therefore, to the strong feeling which prevailed, he had consented to leave the Park in the hands of the park-keepers for a year, and ascertain whether they would be strong enough to carry out any new rules that might apply under the Parks Regulation Act. He was not aware of the defective drainage of St. James's Park, nor had his attention been previously called to the statue of Sir Robert Peel, but he would make inquiries upon those subjects.

MR. WHITWELL asked whether certain lectures that were given to young gardeners were confined to those employed at Kew?

LORD HENRY LENNOX said, he had no information on the subject. He took the opportunity of mentioning that the right hon. Member for Clackmannan (Mr. Adam), his Predecessor in office, had requested him to express his regret that he was unable to attend the discussion on these Votes.

MR. DILLWYN said, he saw a large item down in the Estimates for payment of the police on duty in the Parks. He was at a loss to know what the duties of the "Ranger" of the Park were. He considered the Vote for the Parks ought to be reduced much below the amount set down in the Estimates.

LORD HENRY LENNOX said, that it had been necessary to increase the force of police on account of there being a new road across the Park, which was open during the greater part of the night.

An Hon. MEMBER complained of the way in which pieces of paper and other kinds of refuse were allowed to lie in the Parks.

LORD HENRY LENNOX promised to give his attention to the matter.

*Vote agreed to*

(3.) £125,767, to complete the sum for Public Buildings.

MR. DILLWYN thought a considerable reduction might be made in the Vote.

An Hon. MEMBER called attention to the lions at the base of the Nelson Monument at Charing Cross, and complained that they were subject to be injured by boys constantly climbing up and perching on them. He thought the police should be directed to put a stop to the nuisance.

LORD HENRY LENNOX said, that great anxiety was felt for the preservation of those casts, and steps were being taken with a view of arresting, as far as possible, the action of the atmosphere upon the metal.

MR. M'LAREN said, he observed in this Estimate that there were a number of small charges relating to Scotland, and amongst others was a very small item for the Royal Observatory building in Edinburgh—namely, £15. The Observatory was of very great use scientifi-

cally, and calculations were carried on there for the Navy. The Treasury appointed five or six local men as visitors, who were bound every year to report to the Home Secretary upon the condition of things at the Observatory, and their opinion as to whether and what improvements were required. He regretted to say that no notice whatever was paid by the Home Office to these reports. He might say that every possible degree of economy was practised in connection with the Observatory, and there was no desire to expend money for any purpose that was not absolutely required by the present condition of science.

MR. W. H. SMITH said, he was not aware that there was a body of visitors whose duty it was to report to the Home Office as to the condition of the Edinburgh Observatory; but he would ask the Secretary of State to take care that in future due attention was paid to any communication which might proceed from that body.

*Vote agreed to.*

(4.) £12,058, to complete the sum for the Furniture of Public Offices.

(5.) £23,695, to complete the sum for the Houses of Parliament Buildings.

MR. JAMES said, he hoped the First Commissioner of Works would give an assurance that the unsightly projecting lantern in the Clock Tower would be removed before long. He would also suggest that some better means, by telegraphic communication between the House and other public places, might be devised by which Members might be informed whether the House was sitting or not.

LORD HENRY LENNOX said, he must repeat what he had said on a former occasion—that it was not intended that it should be permanent. An hon. Member had said that the object of the light was to save Members the trouble of coming down to the House after it was up, as in the event of a count. The real object, he thought, was to enable Members to stay away from the House. It was, however, under consideration whether it was feasible by other means, to let hon. Members at a distance know when the House was or was not sitting, and his right hon. Friend the Postmaster General had suggested, for the convenience of

hon. Members, that measures might be taken without incurring any appreciable cost for exhibiting a light or other device at the Central Post Office at Charing Cross, which would be so displayed as to be visible at a considerable distance while the House was sitting. A similar arrangement could be carried out, his right hon. Friend suggested, at the various district Post Offices in the West and South-West Divisions—at Paddington, Kensington, and South Kensington, where the notice would be displayed until 11 o'clock. They would also see whether notice might not be given of the rising of the House to stations of the metropolitan railways by telegraph up to a certain hour.

MR. BERESFORD HOPE said, he was afraid that such hon. Members, himself included, as lived in far away parts, like Paddington, would only be injured and damnified by the change; for after 11 o'clock they would have to go down to Charing Cross to see if the House was sitting. He trusted, however, that something would be done to meet their case. He also hoped the noble Lord would take care that no other apartment in the Houses of Parliament would be disfigured as the Lobby had been, since it had been defiled with white paint. He should be supremely happy when the paint got tarnished and had to be scraped off.

MR. DILLWYN said, he was opposed to anything that tended to idleness on the part of hon. Members, and he thought that such was the tendency of letting them know when the House was or was not up. With regard to the other observation of the hon. Member, everything so soon got soiled in London that the happiness of the hon. Gentleman would not be long delayed.

LORD HENRY LENNOX said, it was never intended that the Lobby should remain in its present state. It had been painted white, that that might be a base for a transparent coating, similar to that on the walls of the Speaker's house; but it had failed as a substratum, and would be removed, so that the stone would be restored to its pristine beauty.

MR. WHEELHOUSE expressed a hope that in any arrangements that might be come to for carrying out the object in view, the Temple district would not be forgotten.

*Mr. M' Laren*



SIR GEORGE BOWYER concurred in the view that the effect of the light was to encourage absenteeism. He wished to know if anything effectual had been done or was likely to be done to arrest the decay of the stone in the buildings of the Houses of Parliament?

MR. DILLWYN pointed out that in the Estimates there was an increase in the item of fuel for the Houses of Parliament, which was nearly £2,500 as compared with something over £1,700 last year.

MR. M'LAREN complained of the great cost of lighting the Houses of Parliament, which amounted to £6,510, being at the rate of something like £40 a-day for the Session.

LORD HENRY LENNOX said, these were the Estimates which had been thought necessary for the proper supply of fuel and light for the Houses of Parliament. In reply to the hon. Baronet the Member for Wexford County (Sir George Bowyer), he wished to say that constant attention was being directed to find out, if possible, what could be done to arrest the decay of the stone on the outside of the building.

*Vote agreed to.*

(6.) 34,730, to complete the sum for the new Home and Colonial Offices.

SIR GEORGE BOWYER said, while these buildings were being erected regardless of expense, they were charged with a load of ornament which was perfectly useless, and which deprived them of all simplicity and true beauty. Somerset House, on the other hand, presented a noble simplicity, and there was no ornament whatever upon it. But in those new offices each story was a different building, and did not combine with the story above or below it.

MR. BERESFORD HOPE said, he would not, in the presence of his hon. Friend who had just spoken, enter into the domain of taste lest he should say something which would shock him; but he wished to ask whether his noble Friend could give any idea when those buildings would be finished, and in use, and when the space in front would be laid out? He must add that it would be a disgrace to the country if the petty nests of small streets between the New Offices and Great George Street were allowed to remain permanently as they

were. The former Conservative Government had proposed to place public offices on this site; the succeeding Administration abandoned the notion; and after abortive attempts to build them on the Embankment and elsewhere, left the matter where it found it, and in the meanwhile, of course, the value of the ground had immensely augmented.

GENERAL SIR GEORGE BALFOUR said, he wished to speak very highly of the way in which the late Commissioner of Works had discharged his duties.

MR. MELLY wished to know, when the roadway in front of these buildings would be open to the public?

LORD HENRY LENNOX said, that without venturing to arrogate to himself any amount of superior taste, he respectfully dissented from the severe criticism which the hon. Baronet the Member for Wexford (Sir George Bowyer) had passed on the work of Sir Gilbert Scott. The design, as now erected, was not the same as that which had proceeded from the pencil of Sir Gilbert Scott, who had been obliged to alter it to suit the requirements of others. Sir Gilbert Scott had intended the elevation to be terminated by towers, the drawings of which he had himself inspected, and which, if erected, would have relieved the building from that weight of ornament which had drawn down the censure of the hon. Baronet. He was positively assured that the new offices would be ready for occupation by Michaelmas next. He regretted that there had been a delay in removing the hoarding in front; but it had been owing to the necessity of opening the roadway for laying down telegraph wires for the use of the public offices. He quite concurred in what the hon. Baronet opposite (Sir George Balfour) had stated with reference to his Predecessor in office. Since he (Lord Henry Lennox) had held the appointment he had had access, of course, to all the Papers, and they showed him that the right hon. Gentleman seemed, while in office, to have had but one object in view, and that was an earnest desire to do his duty.

SIR GEORGE BOWYER explained that he had meant nothing derogatory to the reputation of Sir Gilbert Scott in the remarks he had made in reference to those Offices. He simply thought Sir



Gilbert was less conversant with the Italian style than with the Gothic.

MR. BERESFORD HOPE said, that as Chairman of the Committee which sat in a former Parliament on that question of the Foreign Office, he wished to observe that the Committee went very closely into the competition for the Foreign Office and for the War Office, and reported that Sir Gilbert Scott was the only competitor who was a prizeman for both those Offices. Accordingly, the then First Commissioner gave him the work of erecting the Foreign and India Offices. The circumstances attending the competition had been so complicated as to make it impossible to carry it out literally.

*Vote agreed to.*

(7.) £12,016, to complete the sum for Sheriff Court Houses, Scotland.

(8.) £25,000, to complete the sum for the National Gallery Enlargement.

MR. BERESFORD HOPE asked for an assurance as to the speedy completion of the National Gallery. He trusted that rapid progress would be made with the work, and that a façade would be erected so as to combine the old and new structures into one. After the catastrophe at the Pantechnicon, he thought they ought also to receive some assurance that the new building would be really or approximately fire-proof. The present National Gallery was very far from being so.

LORD HENRY LENNOX said, he had every reason to hope that in the spring of next year the Galleries would be thrown open to the public, and the national collections in Trafalgar Square and at South Kensington both safely housed in them. The office over which he presided and also the Home Office were fully alive to the necessity of increased vigilance against the possibility of fire, and as far as science enabled them to go in that direction the new National Gallery would be rendered fire-proof. He could make no promise with reference to the façade, as it rested with the custodians of the public purse, as he had before explained.

*Vote agreed to.*

(9.) £4,000, to complete the sum for the Industrial Museum, Edinburgh.

(10.) £9,134, to complete the sum for Buildings at Burlington House.

*Sir George Bowyer*

(11.) £113,467, to complete the sum for the Post Office and Inland Revenue Buildings.

MR. WHEELHOUSE complained that the district letter office in Fleet Street, just below Temple Bar, was not large enough for the amount of business transacted there, and that much inconvenience resulted in consequence.

LORD HENRY LENNOX promised that the subject should be inquired into, with a view to the defect being remedied if possible.

*Vote agreed to.*

(12.) £4,545, to complete the sum for the British Museum Buildings.

(13.) £40,823, to complete the sum for County Court Buildings.

(14.) £8,106, to complete the sum for the Science and Art Department Buildings.

(15.) £110,000, to complete the sum for the Surveys of the United Kingdom.

MR. WHALLEY wished to know, upon what principle the different districts were selected for the benefit of this expenditure? He thought Montgomeryshire had been hardly used in the matter.

GENERAL SIR GEORGE BALFOUR asked whether it would not be possible to sell the ordnance maps at a cheaper rate than at present, and yet cover the expense of their production?

MR. WHITWELL complained of the delay which had taken place in some districts in regard to the geological survey. It was most desirable that the results of the surveys should be speedily disseminated throughout the country.

MR. W. H. SMITH said, he would inquire into the matter without delay. He was not able to express an opinion as to whether the price at which the maps were sold was reasonable or not.

*Vote agreed to.*

(16.) £7,103, to complete the sum for Harbours, &c. under the Board of Trade.

(17.) £130, for Portland Harbour.

(18.) £8,300, to complete the sum for the Metropolitan Fire Brigade.

(19.) £30,061, to complete the sum for the Rates on Government Property.

In reply to General SIR GEORGE BALFOUR,

THE CHANCELLOR OF THE EXCHEQUER said, that a Supplementary Es-

imate would be laid on the Table in reference to the rates on public property.

*Vote agreed to.*

(20.) £400, to complete the sum for the Wellington Monument.

MR. BERESFORD HOPE said, he wished to ask the First Commissioner of Works whether any progress was being made with the work in question? It was a painful, and in some respects a discreditable, fact that the completion of a work of so much public interest should be so long delayed. That delay was occasioned, he regretted to say, by the ill-health of the sculptor; but it was clear that the monument must sooner or later be finished, and the design of Mr. Stevens ought, if it were possible, to be carried out by Mr. Stevens. When and how that was to be done had hitherto been an insoluble mystery. He hoped his noble Friend the First Commissioner of Works was in a position to throw some light on the mystery.

SIR GEORGE BOWYER thought that if, unhappily, Mr. Stevens' health prevented his completing the work, some one else ought to be associated with him for that purpose. He would be glad to know where hon. Members could obtain some idea as to what the Monument was to be like; and where the designs were to be seen. For his part, he feared that the work in question would share the fate of most public works of an ornamental character—namely, that no one knew anything of them while they were in progress, and every one decried them when they were finished.

LORD HENRY LENNOX said, he was not at all surprised at his hon. Friend rising when it was announced that a sum of £500 was to be asked towards the completion of the Wellington Monument. He could assure his hon. Friend that the first or second day he was in office his attention was directed to the most unfortunate business. He was told by those who knew what were the difficulties of the case that he ought to let it alone, so many of his predecessors had failed in bringing it to a successful issue, and trust to chance to do so. That idea, however, he did not fancy at all, and he determined to take a particular course, because even if he failed, he should do so while walking in the footsteps of better men than him-

self. It was perfectly true that the distinguished sculptor to whom the work was originally intrusted had been for some years in grievous ill-health, but at times rallying so much as to induce him still to incline to the hope—a very natural one—that he might put the final stamp of his genius upon the work he had commenced. He had recently placed a gallant Friend of his and another gentleman distinguished in art, in connection with Mr. Stevens, and he asked the Committee, so to speak, to pass a short vote of confidence in the First Commissioner of Works. They would not, he was sure, require him to advert more specifically to the means he intended to adopt with a view to try and bring the matter to a successful issue. The hon. Baronet asked where he could get an idea of what the Monument was likely to be. He wondered it had escaped his notice that a Blue Book had been published in which were given copies of the various drawings and also the details of the expenditure. He hoped soon to be able to make a satisfactory announcement on the subject to the House of Commons.

*Vote agreed to.*

(21.) £65,000, to complete the sum for a Natural History Museum.

(22.) £19,443, to complete the sum for the Metropolitan Police Courts.

MR. WHEELHOUSE complained that while in the metropolis these expenses were paid out of the Imperial Exchequer, in the provinces they had to be met by local taxation, and expressed a hope that next year, when the question of the re-adjustment of local taxation was brought forward, this matter would be set right.

*Vote agreed to.*

(23.) £65,800, to complete the sum for the New Courts of Justice and Offices.

SIR GEORGE BOWYER said, that this was the most remarkable instance of mismanagement in the history of the country. Many years ago the ground was purchased, and all the buildings upon it cleared off. The interest upon the money had been lost to the country since, and it had also lost the rents of the houses. It would be interesting if a Return could be obtained of the total

actual loss incurred up to the present time. He recollected that when he was in Parliament some years ago a design for the New Courts had been exhibited in the Library, in which utility seemed to have been completely lost sight of, and the picturesque and ornamental aimed at, without, however, the attainment of any beauty of design. There were what appeared like two rows of almshouses on each side, with numbers of chimneys and buttresses, and he should very much like to know, whether that design, which met with no approval either from the press or the public generally, was to be carried into effect? For his own part, he should infinitely prefer a plain, business-like building, such as Somerset House or the Law Courts in Dublin. The designs were all too ecclesiastical in their character. There was plenty of time to reconsider the question, and he trusted that the present Government would distinguish themselves by adopting some economical plan which would give us a business-like, simple, and noble structure, instead of the one which he feared was to be followed.

MR. CHARLEY inquired as to the amount the New Courts would cost.

LORD HENRY LENNOX said, he would not follow the hon. Baronet into the question of taste, upon which they might possibly differ. The design selected, however, was the design of Mr. Street, to whom the judges had awarded the prize. A prize had also been awarded to Mr. Barry; but as that gentleman had the erection of the National Gallery on his hands, he preferred that the matter should be left entirely to Mr. Street. While, he was happy to tell the hon. Baronet that it was far too late for the First Commissioner to attempt to reconsider the decision arrived at, even if he had the audacity to attempt it, he agreed with him that great loss had already accrued to the nation and the Treasury by the delay which had occurred; and that being so, he did not see how matters would be mended by holding the matter still further in abeyance and breaking a contract which had already been signed. The total sum which it was expected the new Courts of Justice would cost, was £826,000.

SIR GEORGE BOWYER said, he had not suggested any lengthened delay. He believed that three weeks or a month

would be sufficient for all that he contemplated.

COLONEL EGERTON LEIGH disapproved perpetual change, and hoped that now the work was in hand it would be prosecuted forthwith.

*Vote agreed to.*

(24.) £630, to complete the sum for Ramsgate Harbour.

(25.) £8,300, to complete the sum for the New Palace at Westminster acquisition of Lands and Embankment.

(26.) £145,760, to complete the sum for Public Buildings, Ireland.

MR. MONK asked for an explanation of the increase on one item, of £20,000 for public buildings in Ireland. He wished also for some explanation as to the new buildings for houses for warders, and for a Roman Catholic chapel at Spike Island.

MR. W. H. SMITH said, that these new buildings were rendered necessary in consequence of some works which had been carried out at Spike Island.

In reply to Mr. WHITWELL,

SIR MICHAEL HICKS - BEACH said, that he would take care that proper accommodation was afforded for the Coast Guard in Ireland.

*Vote agreed to.*

(27.) £15,300, to complete the sum for Lighthouses Abroad.

(28.) £72,214, to complete the sum for British Embassy Houses and Consular and Legation Buildings.

SIR HENRY WOLFF recommended the Government, as a measure of economy, in view of the gradual increase in rents in nearly all cities abroad, to extend the plan which had already been partially adopted of purchasing residences abroad, not only for the Ambassadors, but for the British Consuls at Foreign ports, and congratulated them on that policy being carried out at Vienna and Washington.

MR. MONK said, he did not concur in the recommendation of the hon. Gentleman, and thought he was justified in doing so, by the heavy charge which had been thrown upon the country, by the destruction by fire of the Embassy House at Constantinople. He asked for an explanation as to the sums already expended, and what amount would yet be required for the new Embassy House at that place?

*Sir George Bowyer*

MR. ANDERSON said, he should be glad of a similar explanation with regard to the Embassy House at Washington?

LORD HENRY LENNOX said, that nearly £30,000 had been expended on the Embassy House at Constantinople, and the total cost would be about £40,000 or £42,000. The cost of site, building, and furniture of the Embassy House at Washington was originally estimated at £31,000. The expenditure this year was estimated at £11,000, and that for next year at £12,000, which would complete the building.

Vote agreed to.

House resumed.

Resolution to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

#### MARRIED WOMEN'S PROPERTY ACT (1870) AMENDMENT BILL.

Order for Committee read, and *discharged*:—Bill committed to a Select Committee:—Committee nominated:—Mr. MORLEY, Sir FRANCIS GOLDSMID, Mr. STAVELEY HILL, Mr. LOPES, Sir CHARLES MILLS, Mr. ATTORNEY GENERAL, Mr. MUNTZ, and Mr. GREGORY:—Three to be the quorum.

#### TENANT RIGHT (IRELAND) BILL.

On Motion of Mr. SULLIVAN, Bill to enable tenants of land in Ireland to acquire Parliamentary Tenant Right in their holdings, ordered to be brought in by Mr. SULLIVAN, Mr. BLANNERHASSETT, and Mr. O'SULLIVAN.

Bill presented, and read the first time. [Bill 82.]

House adjourned at a quarter after  
Ten o'clock till Monday next.

### HOUSE OF LORDS,

*Monday, 27th April, 1874.*

MINUTES.] — SELECT COMMITTEE — Church Patronage, The Marquess of Lansdowne added.  
PUBLIC BILLS — *First Reading* — Oyster and Mussel Fisheries Orders Confirmation \* (36); Pier and Harbour Orders Confirmation \* (37); Marriages Legalization (St. Paul's Church at Pooley Bridge) \* (42).  
Committee — *Report* — *Re-committed* — Real Property Limitation \* (39); Land Titles and Transfer \* (40); Real Property Vendors and Purchasers \* (41).  
*Third Reading* — Local Government Provisional Orders \* (26), and passed.

### PUBLIC WORSHIP REGULATION BILL.

SECOND READING POSTPONED.

THE DUKE OF MARLBOROUGH rose to inquire of the most reverend Primate, Whether, in view of the Meeting of Convocation to-day, further time will be given for the consideration of the Public Worship Regulation Bill, which stood appointed for second reading on Thursday next. Convocation would sit for several days, and it was a matter of the most vital importance that they should have a fair opportunity of considering this measure. The Bill was one which would not only affect the *status* and position of a large number of the clergy of the Established Church, but even went so far as to expose them to penalties. This was not the time for entering into the provisions of the Bill, but they were of very great importance, and those who would be affected by them ought to have an opportunity of giving them a full and deliberate consideration. He believed there was a very generally received opinion out-of-doors that the provisions of the Bill had been recommended by the Ritual Commission, and therefore in answer to his request for further time before the Motion for the second reading, it might be urged that the clergy had already had the gist of the measure before them; but he ventured to remind the most rev. Prelate that some of the modifications in the existing law provided by the Bill went far beyond the recommendations in the Report of the Ritual Commissioners. Those recommendations had reference to incense, lights, and vestments; but the Bill of the most rev. Prelate entered into legislation respecting various matters allowed or forbidden by the Book of Common Prayer, and provided various serious forms and penalties on refractory clergy, amounting *pro tanto* to sequestration. He was sure the most rev. Prelate had no desire that there should not be an ample consideration of the measure by the clergy, and he hoped, therefore, he would accede to his request for further time before the Bill was brought on.

THE ARCHBISHOP OF CANTERBURY said, he could assure their Lordships that the noble Duke did him nothing but justice when he gave him credit for being unwilling that there should be any undue haste in pressing on the Bill. On



the first reading, one of his right rev. Brethren expressed an opinion that the day originally proposed for the second reading would not give sufficient time, and in consequence of that representation he and his right rev. Brethren agreed to postpone the second reading for two days. He should be very sorry if the clergy had not an opportunity of informing themselves on the provisions of the Bill and expressing an opinion for or against it. The Convocation of the Province of Canterbury would meet not to-day but to-morrow, and would continue its sittings daily till Saturday, which was the usual process. It was his full intention to request that the Members of the Lower House of Convocation should consider, during Tuesday, Wednesday, and Thursday, any matters in the Bill on which they might wish, in a legitimate manner, to express their feeling to their Lordships' House. It had been found that on Fridays the meetings of Convocation were not very well attended, and that to continue the consideration of the Bill till that day would not practically be of any use. Besides, three days seemed to be a sufficient time to enable the clergy to deliberate upon the measure and take such steps with reference to it as they might think right. His remarks had reference to the Convocation of the Province of Canterbury; but their Lordships were no doubt aware that when "Convocation" was spoken of the expression meant something more. No formal act could be done by "Convocation" which had not been considered both by the Convocation of Canterbury and by the Convocation of York; and if there were any difference between the Convocations of the two Provinces there must be further deliberation, and therefore further delay. If the noble Duke wished—but he was sure he did not—that this Bill should be brought fully before "Convocation," a delay of a year must occur. Moreover, as the noble Duke was aware, "Convocation" had no right to pass any formal and binding canon on any subject without a licence from the Crown. He did not think it likely that such a licence would be issued in this case. "Letters of Business" might also be issued authorizing the Convocations of Canterbury and York to go into a formal consideration of the matter. But he apprehended that what the noble

Duke referred to was an informal consideration by a representation more or less perfect of the clergy of one of the two Provinces. It was most desirable that there should be such a consideration. He must, however, remind their Lordships that before now the question itself had been considered somewhat carefully in the Convocation of Canterbury, and there was lying on its Table the Report of a Committee to which the question had been referred. In addition to that Report, the Lower House of the Convocation had passed certain Resolutions on the subject. One of these Resolutions referred to the mode in which laws such as those proposed in the Bill should be made, and recommended that they should be made by canon and not by statute. That recommendation would not, however, be applicable to the case in hand, because what had to be dealt with were statutes which no Canon of Convocation would deal with. He and his right rev. Brethren felt obliged most unwillingly to adhere to Thursday for the second reading. They believed they had given sufficient time for the consideration of the question throughout the country, and as circumstances over which they had no control had thrown back the business of the Session, they could not accede to the postponement asked for by the noble Duke.

THE MARQUESS OF BATH said, he would move the adjournment of the House. The most rev. Prelate said that Convocation could not discuss the Bill; but what was asked for was not a formal expression of the opinion of Convocation—what was asked for was an expression of opinion on the part of the clergy throughout the country on a matter which most seriously concerned them. By the Bill the clergy would be bound hand and foot at the feet of the right rev. Bench. It would be in the power of the Bishops to restrain them from the performance of all their offices and to confiscate their incomes. If a railway company proposed to deal in such a manner with the property of a private landowner, would any one advocate that the Bill should pass without those landowners having time to consider the effect of the measure on their interest and to make a representation to the House? The fact that the clergy were a body scattered all over the country and therefore at a great disadvantage as to the



power of meeting and consulting together, afforded an additional reason why, in the words used by a right rev. Prelate on the occasion of the introduction of the Bill, there should be no "indecent haste."

*Moved*, "That this House do now adjourn."—(*The Marquess of Bath.*)

THE LORD CHANCELLOR said, he thought nothing could be more inconvenient or more undesirable than that there should be a lengthened discussion on the mere question whether a particular day should be fixed for a second reading. He could not help thinking that his noble Friend who had just spoken made use of stronger language than he could have intended when he alluded to the possibility of the most rev. Prelate proceeding with "indecent haste." No one could suppose the most rev. Prelate desired to use undue, much less indecent, haste; but he desired to put before the most rev. Prelate one or two considerations. The Bill was one of very great importance, not only to a large number of the clergy, but to the laity of the Church of England. It dealt with matters which stirred the feelings of large masses of the people to the lowest depths. Now, though those who had heard the very able speech made by the most rev. Prelate when introducing the Bill, and who had since had an opportunity of examining the measure itself might have a very clear conception of its provisions and be prepared to discuss it, he ventured to suggest that there were very many without those walls who might not be in the same position, and he thought it would be undesirable to proceed to the second reading till the country at large should have had an opportunity of considering and expressing its feelings. Whatever view their Lordships might take of the Bill, he was convinced that unless the merits of a Bill of this kind were thoroughly understood by the country it would be impossible to make its provisions acceptable. He presumed that nothing could be further from any one's mind than that Convocation should deal with the Bill in a legislative character—it was regarded only as a medium for the expression of the opinion of a great number of the clergy. He ventured to express a hope that the most rev. Prelate

would see reason to postpone the second reading for a few days.

THE ARCHBISHOP OF CANTERBURY said, that at the suggestion of the noble and learned Lord on the Woolsack, he would consent to postpone the second reading for a few days. He hoped, however, that it would be only for a few days. He trusted that the policy to be adopted in respect to the Bill was not one of inaction and delay. The Bill was one on which it was right that Parliament should pronounce a distinct opinion.

Motion (by leave of the House) *withdrawn*.

Then the Second Reading of the Bill was *put off* to *Monday*, the 11th of *May* next.

#### RAILWAYS—ADDRESS FOR A ROYAL COMMISSION.

EARL DE LA WARR rose to move an humble Address to Her Majesty, praying that Her Majesty would be graciously pleased to appoint a Royal Commission to inquire into the working and general management of Railways; to report upon the causes and the best means to be adopted for the prevention of Accidents; and whether further legislation is required. The noble Earl said he was aware that in bringing under their Lordships' notice the subject of railway accidents, he was dealing with a question of great importance—one in which very large interests were concerned, and one which had for some time very much occupied the public mind. It must have come to their Lordships' knowledge, from the Reports laid upon the Table as well as from accounts in the newspapers, that railway accidents had lately increased to an alarming extent. The Board of Trade Report for the year 1872 stated that there were 246 railway accidents in that year; that upwards of 1,100 persons were killed, and more than 3,000 persons injured in connection with railway accidents. Now, those figures showed an increase of 44 per cent in railway accidents for 1872 over those which occurred in 1871. Out of the 246 accidents no less than 238 were classed as preventable accidents; so that to say the least this latter number might have been greatly reduced if there had been proper management and proper precautions. He would ask their Lordships to

look back to 1830, when the first railway in this country was opened, and then to observe what an enormous development there had been in our railway system since that date. We had now 15,000 miles of railway owned by companies having a capital of £560,000,000 and a revenue of about £60,000,000, and the traffic had increased proportionately. Therefore it was not to be wondered at that additional means of accommodation and precaution had become necessary to meet such an enormous development of the railway system, which, of course, was consequent on an immense growth of traffic in goods and passengers. To meet what appeared to him to be the wants of the case, he last Session brought in a Bill—the Regulation of Railways (Prevention of Accidents) Bill—to provide for the adoption on railways of the telegraphic block system, and also that of the interlocking of points and signals. That Bill was referred to a Select Committee, which Committee advised that there should be no further legislation last Session, on the ground that the Railway Companies were doing much for the safety of the public, and would do still more, and that therefore compulsory legislation was not necessary in the case. He ventured at the time to differ from that opinion, and he differed from it now. He differed from it on the ground that the Railway Companies themselves, from their constitution, could not enter into any very large schemes for securing safety to the public travelling on their lines. Railway Directors and Railway Boards represented railway shareholders, and the interests of the public and the interests of railway shareholders were not identical. The Railway Director, representing the railway shareholders, must, if possible, make a dividend. Now, the public interest was that the safety of passengers should be preferred to all questions of dividend. He thought, therefore, that there was ample cause for the interference of the Legislature in the public interest in order to diminish the number of accidents; and he proposed a consideration of the question by a Royal Commission, because that Commission, having considered the causes of railway accidents, could make an independent Report recommending what might appear to it to be the best means of preventing these accidents. The Railway

*Earl De La Warr*

Companies had immense power, because, to a very large extent, they controlled the commercial traffic and the passenger traffic of the entire country. It was not going too far to say that to a great degree the lives of the passengers depended on the management of Boards of Directors. He was far from saying that Boards of Directors had not done much—he believed they had done much and would yet do much more; but they could not do what the public safety required. When they remembered that during the 14 years, from 1858 to 1872, the traffic on the railways had more than doubled, it would be evident to their Lordships that very much increased accommodation was wanted to supply that traffic. A remedy had been suggested—and he believed it was the best one—additional rails on the great lines. He believed that on some of the large lines additions had already been made; but he did not think it would be sufficient to meet the end desired—he was of opinion that much more ought to be done in that direction. Besides the want of a sufficient number of rails, he believed another source of accidents was the want of proper appliances for working the traffic, such as had been recommended by the Board of Trade long ago. The block system, the interlocking points system, and additional sidings had not been brought into requisition by any means to the necessary extent. Then there were the faulty arrangements for passing from platforms to carriages. In the year 1872 no fewer than 66 persons lost their lives by falling between the carriages and the platforms. Another cause of accident was overworking of railway servants. If their Lordships referred to the printed documents relating to these subjects, they would find a certain number of hours set down as those during which railway servants worked; but if they inquired a little further they would find that nearly double that number of hours were not unfrequently required of these men. Many of these were officials engaged in very responsible positions. In several instances the guards of goods trains had been employed for 30 hours at a stretch. In the official papers, engine-drivers were set down as working from 8 to 10 hours; but there were instances of their being on duty for 14 hours, and even longer, at a stretch. Now, he regarded this

question of the hours of labour as a most important point. The duties to be discharged by these men were most responsible, and they could not be discharged properly if the men were kept at work for an unreasonable number of hours. He might mention other causes of accidents; but no doubt their Lordships were aware of them, and he thought he had brought enough before them to show that action on the part of Parliament was necessary with the view of preventing accidents on railways. He submitted that no better course could be adopted in the first instance than the appointment of a Royal Commission. The Royal Commission would have to consider first whether immediate compulsory legislation was advisable. If they should arrive at the conclusion that it was not, they would then have to consider whether additional powers should not be given to the Railway Department of the Board of Trade, or whether a tribunal, such as the existing Railway Commission, should not be established to enforce what might be deemed necessary for the public safety on railways. He thought that the appointment of a Royal Commission would relieve Her Majesty's Government of the grave responsibility now resting upon them. He ventured to think it would be satisfactory to the public, and he ventured also to hope that it would not be unsatisfactory to the Railway Companies themselves.

*Moved,* That an humble Address be presented to Her Majesty, praying that Her Majesty would be graciously pleased to appoint a Royal Commission to inquire into the working and general management of Railways; to report upon the causes and the best means to be adopted for the prevention of Accidents; and whether further legislation is required.—(*The Earl De La Warr.*)

LORD HOUGHTON said, he hoped he should be allowed to say a few words in opposition to the Motion. The noble Earl (Earl De La Warr) had referred to the Bill introduced by him last year to compel railway companies to manage their lines in a manner that he thought would be more conducive to the public safety than the systems under which they were at present managed. That Bill was referred to a Select Committee, which was presided over by a noble Duke (the Duke of Somerset), in whom their Lordships had confidence, and who was not wanting in independence and

judgment. Well, the decision of that Committee was that there should be no such legislation, but that the matter should be left with the railway companies. The noble Earl now proposed a Royal Commission to consider the question of railway accidents and their prevention, and also to enter upon and, he supposed, give some recommendation with reference to the question of compulsory legislation. Railways were great monopolies, and you could deal with them effectually in only one or other of two ways—either by improving the system under which they existed, so as to render them as little noxious as possible, or by extinguishing them altogether. The latter mode of dealing with railways was a question which very much occupied attention last year. Some able papers were written upon it, and persons of considerable authority advocated the transfer of the whole railway system to the State. That was a debateable subject, but too large an one to enter upon in this discussion. He might, however, observe that, apart from all financial, and he might say administrative, difficulties, there would be something extremely dangerous to the mercantile habits of the country if the amount of capital now invested in railways were transferred to the management of the State. The point was one which should receive the attention of any Royal Commission appointed to go into the questions raised by the noble Earl. Now, as to the subject of legislation to compel the railway companies to adopt measures for affording greater security to the lives of passengers, he believed that in the opinion of the best authorities there was no means of safety which appeared acceptable to the great engineers that had not already been adopted or was not in course of adoption on the principal lines. The noble Earl complained that there were lines on which the block system had not been adopted; but that system was rapidly advancing in favour and was being established as rapidly as the circumstances of the various lines would permit of its being brought into practice. Their Lordships would find that on lines where it was at work accidents had occurred through the deficiencies of signalmen—through the momentary neglect of those men. He could assure their Lordships that to work it, a particular class of men was required. It was

only by practice that men could be educated to work it, and the men employed at it must be persons of great temperance, great caution, and great self-command. It was not easy to find such men. The question of brake power was one which was at the present moment engaging the anxious attention of Railway Directors and railway engineers. Of what class of men was the Royal Commission proposed by the noble Earl to be composed? Were the members of it to be amateurs, or were they to be practical men of science? If they were to be amateurs, he did not think their judgment on the matter would be generally accepted as of any great weight, because it was one which they could hardly be expected to understand. If they were to be engineers, they ought to be railway engineers, and these were the very men who, with the Directors and managers of railways, had been and were engaged in considering the various questions which the noble Earl would refer to the Royal Commission. The Board of Trade last year interfered in a manner sufficiently decided by addressing a Circular to the various railway companies. Answers were given to that Circular, and he thought the public must be agreed as to the sufficiency of those answers. Certainly it had struck him that there was an affecting disinterestedness in those answers. [*Laughter.*] Yes, that had been his feeling when he found the companies which were hardly earning their working expenses had gone on increasing their improvements and sacrificing without regret all hope of profit to the exigencies of the safety of the travelling public. He would tell the noble Earl he was quite mistaken if he thought that the making of a dividend for the shareholders was the prominent motive with an important railway Board. It was not so; and for this reason—that, in order to insure prosperity for a line the Directors must manage it to the satisfaction of the public. It was efficiency and not expense that was the paramount consideration with a Board of Directors. The noble Earl had thrown out that if coercion should be decided on, a Board like the Railway Commission might be appointed to carry it into effect. But it was now admitted that the Railway Commission was nothing more than a Board of Arbitration, and that there were no means of enforcing its decrees.

*Lord Houghton*

The decision was in the hands of the English people themselves. If they liked to travel leisurely and stop to eat sandwiches and drink beer, as people did in Germany, accidents might be perhaps altogether avoided; but that was not the way Englishmen travelled, and any coercive action to make companies diminish the speed or the traffic on their lines would be coercive action on Englishmen. If there was to be no hesitation about depriving the people of an immense amount of convenience which they now enjoyed there need be no more crowding at railway stations, and a very quiet system of working the railways might be introduced. That would be one of the recommendations of the Royal Commission if it took into consideration nothing but the prevention of accidents. But the prevention of accidents—however important it might be to achieve that result—could not be the primary motive in the administration of an efficient railway. The primary motive must be the affording as much accommodation as possible to the travelling public with as much safety as possible. The noble Earl said increased railway accommodation had become necessary in consequence of the enormous development of traffic. No doubt that was true; but additional lines were being provided, and would be provided, though he could not expect to see a return of such times as there were 20 years ago, when the late Mr. George Hudson induced three companies to come to Parliament in the one Session with 40 lines involving £10,000,000 of capital. A Railway Commission might recommend any number of lines; but who was to undertake them? Who was to undertake their management? Who was to make them profitable? The increase of the number of their lines of rails must depend on the companies themselves. The Commission could do no more than recommend fresh lines. In such a matter the companies must act for themselves in accordance with what they found to be the requirements of the public. He thought the whole tenor of legislation in this country with reference to interference in railways had been impolitic and unwise. Soon after the establishment of railways, Sir Robert Peel formed a Railway Board, of which Lord Dalhousie was chairman. It had been very much what the Railway Commission was now, and it had died out.



The Board of Trade, by its Circular last year, had done considerable harm in giving such prominence to the subject of accidents on railways. In the newspapers every morning were accounts of railway accidents—there was nothing else for the public eyes to rest upon. But did not hunting accidents and accidents in factories occur very frequently? Why was not the same prominence given to them? Respecting railway accidents there was an amount of confusion and agitation in the public mind which did not exist in it with reference to any other casualties. Again, it was important that railway servants should have confidence in themselves and believe that the public had a reasonable amount of confidence in them. Such confidence was impaired by the publication in Papers issued by the Board of Trade of the names of engine-drivers and guards on duty at the time of railway accidents, and who might, perhaps, be quite blameless. Such a publication was impolitic and unjust. It made the men nervous. In considering the labour question in reference to the administration of labour, their Lordships ought to bear in mind that Railway Directors were placed in a peculiar position. The owner of a mill if in a difficulty with his workmen might put them on half-time; but Railway Directors had to meet the requirements of the public; they were conducting what must be regarded as a public service, and in case of a disagreement they had to conciliate or submit to their men. That was a circumstance which ought not to be lost sight of by those who were considering the question of railway management. In all the catastrophes that occurred last year, he did not think that any case of serious neglect had been made out against a railway company. One of the most terrible of the accidents was that at Wigan. At first it was generally thought to be impossible that there had not been neglect in that case; but the Company was able to assume an attitude of complete innocence, and, though there was a rigid inquiry, their assertion of innocence had not been disproved or denied. Accidents occurred sometimes, and must occur, from causes which could not have been foreseen in the particular cases. An accident sometimes occurred from the breaking of a tire, and, where there were many thousands of wheels and many more thou-

sands of tires, no human wisdom could prevent such occurrences. With regard to signalmen their hours of employment were now, as a general rule, limited to eight, and if a man had naturally a clear judgment and was of temperate habits, he would be perfectly able to apply his attention to his work during that length of time. It was unjust to say that the railway companies were chiefly impelled to take precautions against accidents by considerations as to the compensation they might be called upon to pay. He believed, for his part, that just as much attention would be paid to the safety of passengers whether compensation were exacted or not. The railway interest in this country was served by Directors who gave to it an amount of gratuitous attention which could not possibly be obtained in any other part of the world, by managers who were, as a whole, the most capable body of men he had ever known, and by Engineers—working Engineers—who were at the head of the science of the world. To whom better than to them could a Royal Commission go for the information and suggestions it wanted? Men better qualified in science, in education, or in general intelligence for the supervision of our railways, than those who were now engaged in the task it would, he believed, be impossible to find. He trusted that Her Majesty's Government would not think it advisable to grant a Royal Commission. Any recommendations it might make would, he was convinced, merely point to matters that were already engaging the serious attention of the railway world.

THE DUKE OF RICHMOND: I can assure your Lordships that it is not my intention on the present occasion to follow the noble Lord who has just sat down (Lord Houghton) into the very great number of topics that he has touched upon. In regard to one point that he took up, there seems to me to be a great inconsistency in the remarks of the noble Lord. On the one hand, I find him stating that it is impossible to take up a newspaper without being horrified by the number of accidents.

LORD HOUGHTON: I meant the Papers presented to your Lordships.

THE DUKE OF RICHMOND: That seems to me to make the inconsistency worse, for the reports in the public journals may be exaggerated, while the official



Papers are little likely to possess that fault. The noble Lord then went on to say—such, at all events, seemed to me to be the tenor of his remarks—that there were not so many railway accidents as was commonly supposed, and that no accidents ever occurred through the neglect either of the railway companies or of their servants. At the same time—and the observation struck me as very remarkable—he pointed out that it was considered a great hardship by the railway servants themselves, and injurious to their interests, that the names of those servants to whom accidents occurred were given in the Reports presented to Parliament. There is an inconsistency in all these statements which I shall not inquire into, but which I leave to the noble Lord to digest when he has more time; and I think he will see on reflection that he has taken up a most untenable position. It has been said that it would be impossible to appoint a Railway Commission that would have the confidence of the country; but I entirely dispute that assertion. I venture to say that if a Railway Commission were issued on this subject, Her Majesty's Government would succeed on this occasion, as former Governments have on other occasions, in finding gentlemen perfectly competent to undertake the inquiry, and in whom the country would have confidence. I shall not follow the noble Lord into the eulogium he passed on directors and managers, and all others connected with railways. I have heard the noble Lord speak in a similar strain on another occasion; and I cannot help thinking that when he was eulogizing that body of men—of whom far be it from me to speak in any terms but those of the highest respect—he must have forgotten that he either is or has been a member of that distinguished body. My Lords, I think the thanks of this House and of the country are due to the noble Earl (Earl De La Warr) for having brought forward this Motion and called your Lordships' attention to the subject of railway accidents. I can conceive nothing more important to all classes of the people than that they should be carried with safety and convenience by the railways of the country. The matter is one affecting equally the poor man and the rich, railways having become as it were the monopolizers of the carrying trade of the country; and

surely it would be hard if the safety and convenience of persons obliged to travel by them were not duly considered. Within the last 30 years, during which the railways of the country have been brought to their present state of perfection, there has been legislation of various kinds suggested with regard to them; and I perfectly believe that what may have been a satisfactory and sufficient mode of dealing with them some years back, when the amount of traffic was far less than it is at present, and lines had not been opened up as we now find them in all parts of the country, may in these days stand in need of some revision and alteration. The whole question has been from time to time considered by Parliament and Government. Since the year 1853 there have been no less than ten Committees, two Joint Committees of both Houses, and one Royal Commission appointed to consider matters relating to the railway systems of the country. The Royal Commission, which was presided over by a noble Duke (the Duke of Devonshire), gave very valuable information on various subjects that came under its consideration. In this question the interest of the public is two-fold. In the first place, it is that there should be facility of transport, and that there should be ample means available for the interchange of traffic between the different lines. In the second place, the public interest demands that safety and convenience should be secured—and this is a consideration which is equally important to the railway servants themselves. With regard to the former point, a Committee, which I think was presided over by a noble Lord whom I see opposite (Lord Cardwell), carried out an investigation in 1853 which resulted in an Act of Parliament being passed, called the Railway and Canal Traffic Act, and otherwise known as Cardwell's Act. This measure dealt with the subject of the interchange of traffic; but, if I mistake not, it has been generally considered that the machinery employed under it was much too cumbrous and inconvenient to be practically useful. I think the late Lord Campbell prophesied at the time it was passed that it would not meet the requirements of the case, or be so satisfactory as its promoters anticipated. Nothing further was done by the Legislature with regard to this part of the subject till last year, when, in conse-

*The Duke of Richmond*

quence of a Report of a Joint Committee, which was presided over by the noble Lord (Lord Carlingford), who was then President of the Board of Trade, an Act was passed transferring to a Commission the powers then vested in the Court of Common Pleas in reference to railway cases. The Commissioners then appointed do not deal at all with the second part of the subject—namely, the safety and convenience of the public and the railway servants. With regard to the first part of the subject, legislation had no doubt been active during the last 30 years; but not so much has been done as to the second branch, the safety of the public and the prevention of accidents, which have given rise to so much anxiety in the public mind. Last year the noble Lord who then presided at the Board of Trade issued a very able Circular to the various Railway Companies, pointing out his views as to the position of matters in that respect. He said—

“It appears from the report that a large proportion of these casualties are due to causes which are within the control of the railway companies. If it may be contended that the traffic on many lines has very greatly increased, and with it the risks of railway travelling, it is no less true that it is within the power of the companies to take care that the permanent way, the rolling stock, and the station and siding accommodation are kept up to the requirements of the traffic; that the officers and servants are sufficient in number and quality for the work to be done, and that proper regulations for their guidance are not only made, but enforced; that pains are taken to test every reasonable invention and expedient devised for the purpose of preventing danger; and that such of those expedients as experience proves to be effective are adopted without undue delay.”

I cannot help thinking that everybody who reads it will be prepared to admit the wisdom and sagacity of such a Circular. But the noble Lord goes on to say—

“In these observations I do not attempt to distinguish between the various Companies, to all of which they do not in an equal degree apply. Another subject which urgently requires attention is the frequent unpunctuality of passenger trains.”

That was very fair and straightforward and honest in the noble Lord; but it had this unfortunate result, if I may judge from the Papers which have been presented to your Lordships and from other means of ascertaining the facts—that it led to the receiving of replies from every railway company throughout the kingdom, in which each states

that the Circular of the noble Lord could have no application to itself. Each represented itself as being the best conducted company in the country, as never having an accident on its line, and as having all its arrangements on the most satisfactory footing possible. And here I may observe that I differ from the noble Lord who spoke last (Lord Houghton), and who says the country was perfectly satisfied with the answers which were returned by the railway companies to the Circular of the Board of Trade. I, on the contrary, venture to think that the country was extremely dissatisfied with those answers; because if those replies were as correct answers as the noble Lord wishes us to believe, then, in point of fact, there is no railway company in the country in whose case there is any want of punctuality; all their arrangements are satisfactory, and no accident has ever occurred on any one of our railway lines. Now, that would be absurd; and I am therefore justified, I think, in saying that the replies of the railway companies were unsatisfactory, that the public has endorsed the statements contained in the Circular of the noble Lord, and that they are of opinion that accidents have increased, are increasing, and ought to be diminished. I may add that only two Committees have during all these years sat to inquire directly into the causes of accidents on railways, the other inquiries being into the general question. The first of the two Committees to which I refer was a very important one. It was moved for by Mr. Bentinck, the Member for Norfolk, and sat in the year 1857. That Committee reported as follows—

“Your Committee is of opinion that a rate of speed considerably in excess of what is considered safe, in the opinion of the great majority of the witnesses examined, is sometimes attained on many of the lines; that the evidence taken further tends to show that such excessive speed has arisen not so much from the average speed required as advertised by the railway time tables as from the want of strict punctuality in the time of the departure and arrival of trains from each station, which leads to an excess of speed for the purpose of endeavouring to make up time lost.”

The Report goes on to say—

“That your Committee, impressed with the many difficulties and complications connected with this part of the subject, and also with the inexpediency of relieving railway companies from the responsibility which now devolves on them, is not prepared to recommend any direct

legislative interference by the House upon the question of the extreme speed at which railway trains may be permitted to travel."

The Committee then suggests—

"That a greater degree of punctuality might be insured if the public had some means of obtaining prompt and cheap redress in the recovery of penalties in every case of want of punctuality in the departure and arrival of trains at every station."

The other Committee on the subject was that of last Session, which sat on the Bill introduced by my noble Friend behind me (Earl De La Warr). It was presided over by the noble Duke opposite (the Duke of Somerset), but its inquiry was necessarily very much limited because it could not go beyond the four corners of the Bill, which dealt only with the interlocking and block systems. The Committee recommended that—

"Relying on the great exertions recently and very generally made by different railway companies to extend the block and interlocking systems, and the improvements now in progress, the Bill should not be proceeded with during the present Session. They recommend, however, that the Board of Trade should call for such information as may enable the inspectors, in the annual reports, to state specially the progress made in their adoption on all passenger lines. Parliament will then be in a condition to decide whether or not it would be right to require the further and more prompt extension of these systems on those lines where they are necessary."

I believe these Reports are in process of being compiled, and that they will very shortly be presented to Parliament with the information referred to by the Committee which sat on the Bill of last year. I ought to have mentioned that one of the advantages of the Committee which was presided over by Mr. Bentinck, was that it was mainly the means of establishing the block system in this country. I now come to the concluding paragraph of the Circular of the noble Lord the late President of the Board of Trade. He says—

"Her Majesty's Government are fully sensible of the difficulties incidental to railway working in a country where the traffic is so great and so various, as well as of the efforts which have been made by the railway companies, in many respects with remarkable success, for the accommodation of the public; but safety for life and limb, which ought to be a paramount object, has, nevertheless, not been sufficiently secured, and great and increasing dissatisfaction is the result. Her Majesty's Government, therefore, reserving their own liberty to consider at any time the expediency of legislating upon any part of this important subject, have deemed it their duty to call the attention of the railway

companies to the whole question, in the hope that they, in whose hands the means of improvement mainly rest, will themselves make every effort to meet the reasonable demands of the public and of Parliament."

I bring the subject down to this point—that though there has been a very considerable number of inquiries into one branch of the subject—the interchange of traffic—there has not been that amount of inquiry as to accidents or the causes of accidents which would enable your Lordships to legislate with advantage. When Her Majesty's present Government came into office the accidents on railways and various other matters connected with railways was one of the first subjects which they attempted to consider; and they would have been very happy if one of their earliest acts had been to bring in a Bill to deal with the question; but, on looking into a subject so important, we did not see our way to legislate upon it for the present. I wish to guard myself against any idea that I deprecate legislation, because that is far from my intention. What I do deprecate, however, is dealing with so large a subject in an imperfect and hasty manner, and in the absence of that information which we think is absolutely necessary to enable us to come to a satisfactory conclusion. The difficulty in dealing with this subject in a partial manner is that you at once introduce a divided responsibility; and, to my mind, there could be nothing so disastrous in the present instance as such a division, because in that degree in which you reduce the responsibility of the Companies you increase that of the Government. The practice has hitherto been for the Government to use all possible precaution before a line is opened, and to have it thoroughly inspected by men most competent to the discharge of the duty, such as the Railway Inspectors, who report to the Board of Trade as to its condition. But as soon as the line is opened it has hitherto been the practice to leave with the parties who convey passengers the responsibility for their safety, comfort, and convenience. Of course, one mode of cutting this knot would be for the Government to acquire the whole of the railways of the country; but that is so very large a question as to be really at the present moment outside the sphere of practical legislation, and therefore I dismiss it alto-

*The Duke of Richmond*

gether. I come now to the proposal of the noble Earl (Earl De La Warr). I shall be prepared on the part of the Government to accept his proposition, but in a limited form. The terms of the noble Earl's proposal are much too large; I cannot, therefore, accept that part of it which proposes to inquire into the working and general management of railways. Indeed, I did not gather from the noble Earl's remarks that he went into that subject at all; and if he will be satisfied with limiting the terms of his proposal, I, on the part of the Government, shall be perfectly ready to advise Her Majesty to issue a Royal Commission on the subject. I shall do it on this ground—that I do not think we have before us such evidence upon the causes of accidents on railways as would enable us in a satisfactory manner at the present time to initiate legislation; because I believe that if legislation is undertaken, it ought to be of such a character as would not be likely to require altering for some time, and also because the Government are perfectly agreed that with regard to accidents on railways the country is in a most unsatisfactory condition, and one which ought to be met by legislation at a future period. I propose, therefore, to alter the Motion so as to make it ask for the appointment of a Royal Commission to inquire into the causes of accidents on railways, and into the possibility of removing any such causes by further legislation.

THE DUKE OF SOMERSET said, the noble Duke (the Duke of Richmond) had referred to the facilities afforded to railway companies for interchanging and increasing their traffic. But the increase of traffic had unfortunately been attended by the increase of danger, because increased accommodation had not at the same time been provided for the public by the companies. When the Government were proposing to issue a new Commission he would remind them that they had already a Commission, composed of three paid Commissioners, selected with great care—one of them being a man conversant with railway management, another a lawyer able to guide the Government as to the law which should be enforced, and the third a man of great official experience, whose judgment on those subjects would be of great value. Why should not that ex-

isting Commission be strengthened in any way that was deemed necessary, and do the work which it was now proposed to throw upon a new Commission? The three paid Commissioners to whom he referred were men of great activity of mind, and they had now really nothing to do. It would be better to utilize them, and if they required some able Engineer or any other person to assist them, let them have such assistance. The season for excursion trains would now soon arrive—a period at which they all knew those accidents increased. Crowds of passengers went away from town from Saturday to Monday; and as they could not obtain their tickets beforehand there was great confusion at the railway stations. Last year an unfortunate lady, in scrambling to get a return ticket, lost her child in the crowd; and another person had his collar-bone broken. Thus the unfortunate passenger experienced the dangers of railway travelling even before he got into the train. Instead of compelling everybody to go to one little pigeon-hole for a ticket, surely it did not require much talent or ability on the part of Managers and Directors—who, they were told, were such wise, clever, and excellent men—to make better arrangements for the public convenience. Again, if the Government not only appointed a Commission, but gave it a little more power to interfere in a mild way, it might do a great deal of good, and prevent a great number of accidents. Accidents often arose from unpunctuality, and unpunctuality again often arose from bad arrangements at stations. One train followed another in a few minutes, and goods trains had not time to go on to a siding to get out of the way. The Commission might also help the Companies in passing Bills through Parliament to provide improved accommodation wherever it was wanted, especially in the acquisition of space for sidings. These were some of the main points in which amendment was required, and he thought the proposed inquiry would do good.

LORD CARLINGFORD said, that before coming to the Motion before the House, and the line taken upon it by the Government, he wished to say a word or two about the Circular of November last, for which, on the part of the late Government, he was responsible, and also about the replies which it had called



forth. That Circular had probably never yet been so severely condemned—even by the most angry railway company—as it had been that night by his noble Friend behind him (Lord Houghton). He was surprised to find that his noble Friend appeared to think it a piece of impertinent meddling with what he seemed to regard as the entirely satisfactory and gratifying state of things which was going on on all the railways of the country last autumn and winter. For himself, however, he was much in hopes that that Circular had been and still would be of use. He believed it was the duty of the late Government to call the attention of the Companies and the public—in the marked way which was secured by a deliberate and serious publication of that kind—to the state of things existing on railways. It was quite evident that nothing else would have obtained for the subject the degree of attention which it received throughout the winter from the public Press in the most able and useful manner, and also from the Companies themselves. He was bound to say he thought the replies elicited by that Circular had been rather hardly dealt with by some portions of the Press, and even by the noble Duke himself. There had been, of course, a good deal of injured innocence on the part of Railway Chairmen, of which they had had a stronger instance that night from his noble Friend (Lord Houghton) than was contained in most of the replies sent in. But, on the other hand, there was not a little that was satisfactory in those replies. They were almost all written in a tone and spirit of which the late Government had no reason to complain. He did not remember above two or three somewhat angry answers. The greater part of them admitted that it was the duty of the Government to take notice of the state of things which was prevailing, and—what was more—they admitted the definition and description given in the Circular of the duties of Companies and Directors—a matter of no small importance. While pointing out what they had been and were doing to remedy the evils and fulfil the duties prescribed in the Circular, almost all the Companies gave a distinct pledge of further efforts. The business, therefore, of the State was to see that within a reasonable time

*Lord Carlingford*

these promises were fulfilled; for when in six months 48 passengers had been killed and 984 injured by causes admittedly beyond their own control, such a state of things could not be allowed to continue. It must be remedied either by the voluntary action of the Companies themselves, which was pointed out by the Circular as the best way, or by the intervention of Parliament. He was too sensible of the difficulties of legislation to find fault with the Government for desiring further inquiry before introducing a Bill; but he was not sure whether he went with the noble Duke as to the direction of that inquiry. Accidents were largely due to the lack of important appliances, like those elicited by the Committee of last Session; but the chief cause of the increase of accidents was that the traffic had outgrown the means of safely managing it. Increased traffic, while signifying increased danger, meant also augmented profits, so that the Companies were under a greater amount of obligation to insure a reasonable degree of safety. Almost every serious accident had arisen from a goods train being in the way of a fast passenger train at a time when the latter ought to have been expected. The chief requisite was an extension of lines and sidings, and other means of safely managing this enormous traffic going on at various rates of speed; and he doubted whether the Companies were sufficiently exerting themselves in this direction. He should be inclined to think that the information might be ascertained departmentally, through the Inspectors of the Board of Trade or otherwise, but he would not quarrel with the machinery proposed by the Government. The inquiry might resemble that undertaken by the noble Duke (the Duke of Somerset) and his Committee last year, but directed generally to the causes of accidents, and especially to the provision of sufficient accommodation. The Chairman of the Great Western Company had deprecated minute interference; but, while avoiding this, there might be a compulsory provision of works proved to be necessary for reasonable safety, coupled with greater facilities for obtaining Parliamentary powers for that purpose. He did not wish to prejudge the conclusion of the Commission, which he hoped might lead to a solution of the question. Its constitution would require



careful consideration. There appeared difficulties in the way of the noble Duke's suggestion as to the employment of the Railway Commission. That body was a semi-judicial tribunal, and if compulsory interference should prove to be necessary it might, very probably, be intrusted to it—in which case it was obviously undesirable that the body which exercised the power should have conducted the inquiry.

THE MARQUESS OF SALISBURY: I quite agree with the noble Lord opposite (Lord Carlingford) that it is premature to enter into the subjects which the Commission will have to consider; but both in his remarks and those of the noble Duke (the Duke of Somerset) there appear to lurk some fallacies which are very popular, and which, as far as they have obtained a hold on the public mind, are apt to mislead. The noble Duke put the matter with his usual epigrammatic force when he said he should like to give the Railway Commissioners the power of interfering "in a mild way." It is that very power which I dread more than any other course Parliament might adopt. It may be its duty to interfere in a summary way. I should deplore it very much, yet under conceivable circumstances it might be the duty of Parliament to resort to much greater interference than at present; but anything like partial interference, involving divided management and responsibility, would tend to more accidents than it would prevent. It is a very favourite course, in view of the difficulties of the question and the dangers of the passengers, to point to this or that nostrum as a certain remedy. Last year it was the interlocking system; this year it is the duplication of lines, to which the noble Lord apparently pointed. [Lord CARLINGFORD: New sidings.] I do not think sidings would do much to ease the traffic. The real difficulty is that on many lines, unless there is perfect punctuality, there is not time for the number of trains to keep apart. With any regard to the engagements into which it has entered with the Companies, Parliament could not ask them to undertake the gigantic enterprise of duplicating their tunnels or heavy bridges. The cost would be so enormous as to sink the capital even of the richest of them; while if tunnels and bridges were left as they are, and the rest of the lines dupli-

cated, there would be a constant succession of trains travelling side by side on four lines, and converging at particular points to travel on two lines. Can we imagine any arrangement more fertile in the elements of mischief in the event of the slightest unpunctuality? That is a specimen of the difficulties of the nostrums recommended to us. I am told there have been two or three very narrow escapes from accident through the indiscriminate operation of the block system; and the remedy, recently much in vogue, of allowing passengers to stop trains whenever they liked has, to my certain knowledge, led ladies, unjustifiably frightened by the expression of face of gentlemen travelling with them, to produce dangerous complications and threaten serious disasters. In the adoption of such plans you must remember that, though you may prescribe the theory of the plan, it may have to be worked by other hands, whom your interference may possibly make hostile. You will have to lay down rules which must be worked by a general Manager, whose interest it will be that they should fail—it will be his interest to prove that the Government has made a mistake; and do you think that the generality of Managers are so foolish that they will not be able to bring about such a result? Will they not protest that the interlocking system, or the block system, or the continuous brake, or the duplicated lines which you have forced upon them without their consent, are responsible for the accidents which may occur or that may be brought about, and declare them to be the result of your interference? I do not, however, say that the railway Managers are not merciful, or that accidents of this class would do more than cause considerable concussion, without loss of life. My Lords, there is one subject to which I hope the Commission will devote special attention, and in the inquiring into which I think the elements of safety may be found—I allude to the subject of unpunctuality. Here is a matter in respect of which the railway companies cannot say that your interference is an act of injustice. You are but requiring them to abide by their own time-tables. They promise and undertake that trains shall depart and arrive at certain stated times, and it is doing them no injustice to require them to keep their promise. For my

own part, I believe that to unpunctuality may be traced nine-tenths of the accidents that occur. Goods trains are always being shunted just as a late passenger train arrives—it arrives when the goods train is half-way across the line, and an accident is the inevitable consequence. If you could make the companies adopt measures to secure that their passenger trains were in time, and that goods trains were not prowling about just in front of them, you would have taken the best means in my judgment of preventing railway accidents. A suggestion has been made by the noble Duke opposite (the Duke of Somerset) which I do not think he would, on reflection, be inclined to insist on. After much consideration last Session, Commissioners were appointed to perform semi-judicial functions. They had some difficulty in attracting suitors to their court; and now, when they have hardly warmed to their work, the noble Duke proposes to intrust to them additional duties of a wholly different character. It is impossible but that duties involving such large questions and such diverse interests should occupy the entire time of the Commissioners to be appointed; and the consequence of appointing the Railway Commissioners would be to cause them to neglect the duties in respect of which they were originally appointed, and to make the Act of last Session, from which the commercial world hopes so many good things, an entire failure. I hope and believe that the Commissioners to be selected will be enabled to gather such valuable information as may enable Parliament to deal satisfactorily with one of the most difficult and embarrassing questions to which its attention could be directed.

EARL DE LA WARR said, he would accept the limitations suggested by the noble Duke (the Duke of Richmond)—though it was difficult to see how, if the words “working and general management” were omitted from the Motion, the Commissioners could inquire into the want of punctuality and excessive speed.

THE MARQUESS OF SALISBURY observed that that subject would come under the head of “Causes of Railway Accidents.”

*Motion amended, and agreed to.*

*The Marquess of Salisbury*

*Ordered* that an humble Address be presented to Her Majesty, praying that Her Majesty would be graciously pleased to appoint a Royal Commission to inquire into the Causes of Accidents on Railways, and into the possibility of removing any such causes by further legislation.—(*The Earl De La Warr.*)

#### COLONIAL CHURCH BILL.—QUESTION.

LORD BLACHFORD asked the Secretary of State for the Colonies, What steps have been taken to obtain from the Colonies the information desired by the Select Committee on the Colonial Church Bill, and when it is likely to be laid before the House?

THE EARL OF CARNARVON said, that a number of answers had been received from the Colonies in reply to the Circular which had been sent to them on the subject referred to in the noble Lord's Question. Some Colonies had not, however, yet sent replies. He was ready to lay the Correspondence on the Table of the House, although it was not yet completed. It related mainly to the devolution of Church property on the death of a Bishop; and he might mention that, out of 19 Colonies which had forwarded replies, 15 were content with local Acts and opposed to Imperial legislation, and four only took an opposite view. The general conclusion he had arrived at from a perusal of the Papers was, that it was wiser for the present to rely on the Colonial Acts and Ordinances than to propose any measure to the Imperial Parliament.

#### OYSTER AND MUSSEL FISHERIES ORDERS CONFIRMATION BILL. [H.L.]

A Bill to confirm certain Orders made by the Board of Trade under the Sea Fisheries Act, 1868, relating to Menai Straits and Pagle-sham—Was *presented* by The Lord DUNMORE; read 1<sup>a</sup>. (No. 36.)

#### PIER AND HARBOUR ORDERS CONFIRMATION BILL. [H.L.]

A Bill to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Bray, Buckie (Cluny), Carlingford, Lough, Cattewater, Eyemouth, Great Yarmouth, Kinsale, Lybster, Sandown, Sidmouth, Tees, and Yarmouth (Isle of Wight)—Was *presented* by The Lord DUNMORE; read 1<sup>a</sup>. (No. 37.)

#### MARRIAGES LEGALIZATION (ST. PAUL'S CHURCH AT POOLEY BRIDGE) BILL. [H.L.]

A Bill to render valid Marriages heretofore solemnized in the Chapel of Ease called “Saint Paul's Church at Pooley Bridge,” in the parish

of Barton in the county of Westmorland —  
Was presented by The Lord Bishop of CARLISLE;  
read 1<sup>a</sup>. (No. 42.)

House adjourned at half past Seven  
o'clock, 'till To-morrow, half  
past Ten o'clock.

## HOUSE OF COMMONS,

*Monday, 27th April, 1874.*

MINUTES.]—NEW WRIT ISSUED—*For Wakefield, v. Edward Green, esquire, void Election.*

NEW MEMBERS SWORN—John Holker, esquire, for Preston; John Holms, esquire, and Henry Fawcett, esquire, for Hackney.

SELECT COMMITTEE—Adulteration of Food Act, 1872, nominated.

SUPPLY — considered in Committee — Resolutions [April 24] reported.

WAYS AND MEANS—considered in Committee—Resolutions [April 23] reported.

PUBLIC BILLS—Resolutions in Committee—Ordered—First Reading—Intoxicating Liquors\* [83].

Ordered—First Reading—Municipal Elections\* [84].

Second Reading — Land Tax Commissioners Names\* [76].

Referred to Select Committee—Offences against the Person\* [13].

Considered as amended—Betting\* [78].

### CONTROVERTED ELECTIONS.

#### NEW WINDSOR—WAKEFIELD—ATHLONE.

MR. SPEAKER informed the House, that he had received from the Judges selected for the Trial of Election Petitions, pursuant to the Parliamentary Elections Act, 1868, Certificates and Reports relating to the Elections for the Borough of New Windsor; for the Borough of Wakefield; and for the Borough of Athlone. And the same were severally read to the effect following:—

New Windsor Election,—Mr. Baron Bramwell reported that in the matter of a Petition against the Return on the last General Election of Robert Richardson-Gardner, esquire, for the Borough of New Windsor, he had, after hearing, determined that he was duly returned and elected, and that the charges of corrupt practices alleged in the Petition were not proved.

Wakefield Election,—Mr. Justice Grove reported that he had tried the Election Petition for the Borough of Wakefield, between William Hartley Lee and Isaac Briggs, Petitioners, and Edward Green, Respondent, and that at the conclusion of the said trial he determined that the said Edward Green, being the Member whose Election and Return were complained of in the said Petition, was not duly elected and returned, and that the said Election was void. And further—(a.) That no corrupt practice was

proved to have been committed by or with the knowledge or consent of any Candidate at such Election; (b.) That certain persons (named) have been proved at the trial to have been guilty of the corrupt practice of bribery; (c.) That corrupt practices did not so extensively prevail as to substantially affect the whole constituency, but that a number—not inconsiderable—of the poorest and least educated class of voters were tainted with corrupt practices.

Athlone Election,—Chief Justice Monahan made a special Report, as follows:—

“In the matter of the Petition of Edward Sheil, esquire, Petitioner;

“John James Ennis, esquire, and Major Walter Nugent, esquire, Respondents;

“The Petition in this matter, a copy of which is hereto annexed, was duly presented to this Court, and it appearing to the Court that the case raised by the said Petitioner could be conveniently stated as a special case, such case was so stated, a copy of which is annexed hereto, and the same was duly heard on this day before the Court, and thereupon the Court determined as follows:—

“We are of opinion that the Sheriff was wrong in rejecting the 13 Ballot Papers in the Petition mentioned as marked on the right-hand side with a cross opposite the Petitioner's name, and that he should have received same and counted these 13 Ballot Papers in favour of the Petitioner, and if he had done so Petitioner would have had 153 votes; and in like manner that he should have received the 8 Ballot Papers marked on the right-hand side with the cross after the Respondent's name, and should have counted these 8 Ballot Papers in favour of the Respondent, and if he had done so the Respondent would have had 148 votes, which would have left the Petitioner a majority of 5 votes.

“It therefore became unnecessary to adjudicate on the other votes rejected by the Sheriff, as any decision allowing the same, or any of them, would simply have the effect of increasing the Petitioner's majority.

“We therefore have not considered the question whether the Sheriff was right in rejecting all or any of the said last-mentioned Ballot Papers.

“Accordingly the Court doth determine, and hereby certify to the Right Honorable the Speaker of the House of Commons, that the said Edward Sheil ought to have been and he is hereby declared to be the duly elected Member of Parliament for said Borough of Athlone.

“And the Court doth also adjudge that each of the parties, Petitioner and Respondent, do abide their own costs of the arguments of the special case in this matter.”

Ordered, That the Clerk of the Crown do attend this House To-morrow, at Four of the clock, with the last Return for the Borough of Athlone, and amend the same by rasing out the name of John James Ennis, esquire.

### IRISH CHURCH ACT, 1869—THE SURPLUS.—QUESTION.

MR. E. DAVENPORT asked the First Lord of the Treasury, What is the present amount of the unappropriated ba-

lance of the proceeds from the disendowment of the Irish Church, and who has the control of it?

MR. DISRAELI: I am not surprised that my hon. Friend the Member for St. Ives has given Notice of this Question, for I know it is a question which is in many mouths. The point is, to ascertain the present amount of the unappropriated balance of the proceeds from the disendowment of the Irish Church and who has the control of it. Now, I am sorry to say that there is no balance, or, rather, no unappropriated balance of the proceeds from the disendowment of the Irish Church. The account is the other way, and the items are so important and interesting that I will take this opportunity of stating them to the House. Unfortunately, the debt due on the part of the Commissioners amounts to no less than £9,700,000. Of this £8,400,000 is owing to the Commissioners for the reduction of the National Debt, and £1,300,000 is due to the Representative Church Body. After the Notice of inquiry was given by my hon. Friend, I asked for some information in order that, having learnt this was the state of the unappropriated balance, I might ascertain what would be the future result of all these proceedings. I am told it is estimated that this debt of £9,700,000 with interest, the annual charge in respect of which is at present £240,000, will be paid off in about 17 years, and when that time shall have arrived and the liabilities of the Commission shall have been discharged, it is calculated that the capitalized value of the Terminable Annuities which will then be outstanding, will amount to about £5,000,000 sterling. This last-mentioned sum when realized will constitute the surplus to be disposed of by Parliament.

#### ARMY—OUTRAGE IN WEYMOUTH BARRACKS.—QUESTION.

MR. HAYTER asked the Secretary of State for War, Whether the outrage reported to have been committed in Weymouth Barracks, by a soldier of the 75th Regiment upon his comrade on Sunday last, and respecting which the coroner's inquest have returned a verdict of wilful murder, was facilitated by the access of the perpetrator to the ball-cartridges kept in the barrack room; what were the circumstances justifying this departure

*Mr. E. Davenport*

from the general order, issued by direction of Lord Cardwell, to the effect that private soldiers should, upon dismounting duty, return their ammunition into store; and, whether it is still the practice in the Cavalry on home service, to retain their ammunition when off duty?

MR. GATHORNE HARDY in reply, said, that the question was founded on an error as to the facts of the case. The ammunition used was not found in the barracks, but had been obtained from a soldier who found it two feet under the sand near the butts. It was at that time very wet, but the prisoner got possession of it, dried it, and kept it a fortnight. There had, therefore, been no infraction of the general order, requiring private soldiers upon dismounting duty to return their ammunition into store, nor was it the practice of cavalry regiments to retain their ammunition when off duty.

#### ARMY MEDICAL OFFICERS.

##### QUESTION.

MR. HERBERT asked the Secretary of State for War, Whether it is true that on the recent occasion of the moving a troop of Horse Artillery from Ballincollig to Woolwich, and thence to Shorncliffe, a medical officer was sent to march with the troops from Bristol who was unable to ride, and that in order to accompany the troop one of the officers had to lend him a dog-cart; and, whether he is not of opinion that all medical officers attached to our mounted forces should be able to ride?

MR. GATHORNE HARDY, in reply, said, that the medical officer referred to had no horse. He said he was not a rider, having only just been appointed, and as there was no very steady horse available, the commanding officer offered him a ride in his dog-cart. As he accompanied a horse battery, it would not have prevented him exercising any of his medical functions if they had been required.

#### THE NATIONAL DEBT.—QUESTION.

MR. CUBITT asked Mr. Chancellor of the Exchequer, If he will state the total amount of the National Debt on the 1st April 1874, distinguishing between the amount of the Funded and Unfunded Debt and the capital value of



the Terminable Annuities unexpired at that date?

**THE CHANCELLOR OF THE EXCHEQUER:** Sir, the total amount of the National Debt on the 31st of March last was £779,294,271; the gross amount of the capital of the Funded Debt was £723,514,005; the capital value of the Terminable Annuities was estimated at £51,300,666; and the Unfunded Debt amounted to £4,479,600.

#### POOR-LAW (IRELAND)—AMALGAMATION OF UNIONS.—QUESTION.

**CAPTAIN NOLAN** asked the Chief Secretary for Ireland, What are the existing facilities for the amalgamation of Poor Law Unions when desired by the ratepayers, and if any applications for amalgamation have been made to the Local Government Board of Ireland or to the former Poor-Law authorities?

**SIR MICHAEL HICKS-BEACH**, in reply, said, he believed the existing law afforded all necessary facilities for the alteration of the boundaries of Poor Law Unions in Ireland if the consent of the Local Government Board could be obtained to any proposed change of the kind. A general re-arrangement of this kind was made in 1849-50, and since then various applications had been made to the Poor Law Board to exercise its functions in the matter. Each of these applications had been considered on its merits, and the hon. Member would find a good deal of information on the subject in the Reports of the Poor Law Board for 1866 and 1867. An application of the kind was still pending.

#### REPORTS OF THE INSPECTORS OF MINES, 1873.—QUESTION.

**MR. MACDONALD** asked the Secretary of State for the Home Department, When he will be able to deliver to Members the Reports of the Inspectors of Mines for 1873, and, if the Reports could not be delivered earlier in the Session than they have been for some years past?

**MR. ASSHETON CROSS**, in reply, said, he had received all the Reports except one, and when that was received they should all be laid on the Table of the House. He was very anxious that the Reports should be laid before the House

at an earlier period, and he hoped in another year to be able to attain that end.

#### MERCHANT SHIPPING ACT—COMPULSORY PILOTAGE.—QUESTION.

**MR. BENTINCK** asked the President of the Board of Trade, Whether the attention of the Government has been called to the Law on Compulsory Pilotage, under the operation of which redress cannot frequently be obtained for damage done by ships in charge of Compulsory Pilots; and, whether the Government propose to introduce a Bill for abolition of Compulsory Pilotage?

**SIR CHARLES ADDERLEY:** Sir, the subject of compulsory pilotage is under the consideration of the Government, and I hope it may soon be dealt with. I will communicate with the hon. Member when the question is more matured.

#### FRIENDLY SOCIETIES—LEGISLATION. QUESTION.

**MR. EARP** asked Mr. Chancellor of the Exchequer, If it will be convenient to bring in the Bill relating to Friendly Societies before Whitsuntide, at which time members of such societies hold important meetings, affording favourable opportunities for considering any proposed changes in the Law affecting their interests?

**THE CHANCELLOR OF THE EXCHEQUER:** Sir, the Report of the Commission on Friendly Societies is now in the hands of the Queen's printers, and I am informed it will be in the hands of the public in the course of about a week. Her Majesty's Government have not yet had an opportunity of considering any Bill on the subject, though I hope a measure will be ready for introduction soon after Whitsuntide. I am aware that Whitsuntide is an important time for meetings of friendly societies, and I wish to point out that the Report contains all the recommendations of the Commission, and in a form very convenient for consideration at those meetings.

#### THE WORKSHOPS ACT—INSPECTORS. QUESTION.

**MR. DALRYMPLE** asked the Secretary of State for the Home Department, Whether his attention has been called to the fact that the number of Inspectors



under the Workshops Act is still altogether inadequate to carry out its provisions; and, whether he intends to make any addition to the number of Inspectors during the present year?

MR. ASSHETON CROSS, in reply, said, his attention had been called to the matter, and he must refer the hon. Member to the Answer given by Lord Aberdare in April last year. Since that Answer was given three additional sub-Inspectors had been appointed, and although it was not the intention of the Government to appoint more Inspectors during the present year, yet they hoped by some modification of arrangements to make the matter very much easier for the number of Inspectors there were now. The whole matter of workshops, and their relation to factories, was also under the consideration of the Government.

#### GUANO DEPOSITS—SURVEY.

##### QUESTION.

MR. M'LAGAN asked the Under Secretary of State for Foreign Affairs, Whether any independent survey has been made, by orders of the Government of this country, of the deposits of guano on the several islands belonging to the Peruvian Government and other islands in the Pacific Ocean; and, if so, whether he has any objection to publish the result of such survey?

MR. BOURKE: Sir, strictly speaking, no independent surveys have been made by orders of Her Majesty's Government of the deposits of guano in the islands of the Pacific; but reports upon the subject have been forwarded to the Foreign Office by the Admiralty. These Reports have just been printed with the intention of sending copies to the newspapers and various agricultural societies, and under these circumstances probably the hon. Member will think there is no occasion to lay them before Parliament.

#### CANADA PACIFIC RAILWAY—THE GUARANTEE.—QUESTION.

SIR CHARLES W. DILKE asked the Under Secretary of State for the Colonies, Whether the Canada Pacific Railway Guarantee of last Session is avoided by the refusal of Canada to carry out some of the provisions of her contract?

*Mr. Dalrymple*

MR. J. LOWTHER: Sir, the facts of the case are, that negotiations are now in progress between the Government of the Dominion of Canada and the Province of British Columbia, arising out of the proposal by the Dominion Government of certain modifications of the provisions of the contract as to the construction of the Pacific Railway. No decision has yet been arrived at, and it would, therefore, be incorrect to speak of the refusal of Canada to carry out any of the provisions of her contract. Any question as to the validity of the guarantee would only arise in the event of alterations or modifications in the contract being adopted by the Dominion Government.

#### THE MAURITIUS—THE COOLIES.

##### QUESTION.

MR. EDWARD JENKINS asked the Under Secretary of State for the Colonies, Whether the Report of the Commission appointed to inquire into the state of the Coolies at Mauritius is ready, and when it will be laid upon the Table?

MR. J. LOWTHER: Sir, considerable progress had been made with the Report, (by far the greater part of which has been completed by the Commissioners), when Mr. Frere's sudden and very severe illness interrupted his labours, which, it is feared, he will not be able to resume for some time. Looking at Mr. Frere's great experience in India and in British Guiana, it is very much to be desired that Her Majesty's Government should have the advantage of considering his recommendations on the numerous questions which will arise out of the Report; and although the other Commissioner, Mr. Williamson, is fully competent to complete the Report and to make valuable suggestions as to future legislation, it is considered expedient to submit to some further delay in the hope that Mr. Frere may be able to resume his work. The Report will not be laid on the Table, or otherwise published, until it has been fully considered by Her Majesty's Government.

#### COMMISSION ON THE LEGAL DEPARTMENTS—REPORT.—QUESTION.

MR. TREVELYAN asked the Secretary of State for the Home Department,

Whether he will present to Parliament the First Report of the Royal Commissioners on the Legal Departments, which relates to matters on which they were directed by the terms of their Commission to make recommendations at an early opportunity; and, whether it is the intention of the Government to take any action in consequence of that Report, as recommended by the Committee of last Session on Civil Service expenditure?

MR. ASSHETON CROSS, in reply, said, he had received the Report a very short time ago, and immediately sent it to the printers. The Government had not had time to study that Report, or its recommendations thoroughly; as soon as they had, he should be happy to answer the Question.

#### WAYS AND MEANS—LOCAL TAXATION —LUNATICS, RURAL POLICE.

##### QUESTIONS.

MR. COOPE asked Mr. Chancellor of the Exchequer, Whether, in his measure to relieve Local Taxation, he is prepared to make any provision for the hardship inflicted on the counties of Middlesex, Essex, and Kent by the large number of Lunatics sent home from India, who, being landed in the Thames, were afterwards placed in the asylums of those counties?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, no doubt the question was one of great importance, especially to the three counties mentioned, which were somewhat accidentally charged with the expense of those lunatics. The matter, however, was one which was outside the proposals made in the Budget, but it was engaging the attention of the Government, and he could at present say nothing upon it.

MR. COOPE gave Notice that he would take another opportunity of bringing the subject under the consideration of the House.

MR. LAMBERT asked Mr. Chancellor of the Exchequer, When the relief promised towards lunatic and police rates will be available?

MR. W. STANHOPE asked, What description of lunatics would participate in the grant?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, the intention of the proposal he made the other day, was

to confine the grant to the case of lunatics chargeable as asylum patients, and not as Union patients. As to the time when relief would be given, the Government proposed that it should be after the Michaelmas audit, and the accounts would be paid somewhere about October or November. With regard to the police, the additional payments would be made at the same period at which they were now made. There were different periods for different parts of the Kingdom. In England, the police year ended on the 29th of September, and the payments would be made from the 1st of April for the first half-year. In Scotland it ended on the 15th of March, and payment would then be made for the whole year. In the metropolis there were two settlement days, the 30th of June and the 31st of December, and the first payment would be made on the settlement on the 30th of June for the quarter.

#### THE SUEZ CANAL—THREATENED SUSPENSION OF NAVIGATION.

##### QUESTION.

SIR GEORGE JENKINSON asked the Under Secretary of State for Foreign Affairs, Whether the important news respecting the yielding of M. de Lesseps on the subject of the traffic of the Suez Canal was correct, as stated in *The Times* of this morning, and he might add as stated also in a letter to himself, containing the copy of a telegram from Port Said; and whether there was any objection to lay on the Table copies of the two letters lately addressed to the President of the Board of Trade and to the Lords of the Admiralty signed "Daniel Lange," in which the stoppage of the Suez Canal was threatened by M. de Lesseps, with copies of the replies?

MR. BOURKE: Sir, the threatened closing of the Suez Canal has been averted by the good sense of M. de Lesseps, who has submitted under protest to the legal decision of the Sultan. There is, therefore, no reason to think that the ordinary course of traffic will be interrupted.

#### WAYS AND MEANS.—REPORT.

Resolutions [*April 23rd*] reported.

MR. PELL said, he would take that opportunity of making a few remarks

upon the late Financial Statement, his object being to remove some doubts and misapprehensions which seemed to exist in reference to the policy of the Government. In so doing, he had great pleasure in congratulating the right hon. Gentleman the Chancellor of the Exchequer as being the first Financial Minister of the country who had combined in the Budget the questions of local and Imperial taxation. The concessions, however, made to the ratepayers of the Kingdom, after all, were not so very large. As regarded England and Wales, they did not exceed £830,000, which was equivalent to a rate of  $1\frac{3}{4}d.$  in the pound, and the relief was so small that it would probably find its way into the pockets of the occupiers of land, and not into the owners'. Small, however, as the concession was, he believed it was based on a desire to do justice to the ratepayers. The present Government were not responsible for the form in which relief was given in respect of the police; they found the form devised, and had only to advance the proportion from one-quarter to one-half of the cost of pay and clothing. So far as money went, the right hon. Member for the City of London (Mr. Goschen) made a more liberal offer, for he proposed to give up the house duty, which amounted to £1,100,000; but the defect of that proposal was that more than half of the money would have gone to the metropolis. It was not true, as had been stated, that the greater proportion of this additional police grant would go to the rural landowners; on the contrary, it would go to the towns. The additional police grant for England and Wales amounted to £500,000; of this, £210,000 went to the metropolis, £120,000 to boroughs, making £330,000, and only £170,000 went to the country at large. Therefore, it could not be said that by this additional allowance the landed interests were unduly favoured; neither did he (Mr. Pell) desire that they should be. The towns got two-thirds of the grant in respect of the police, and the rest of the country one-third. What the metropolis would get would be equivalent to a rate of  $2\frac{1}{4}d.$  in the pound; in the boroughs the relief would average a rate of  $1\frac{1}{4}d.$ ; and in the counties a rate of  $\frac{1}{2}d.$  The financial proposals of the Government, therefore, did justice to urban populations, and

*Mr. Pell*

showed no preference for owners and occupiers of land in the country. With regard to lunatics, the concession of 4s. per lunatic in England and Wales was supposed to be equivalent to one-half the cost of maintenance; but no allowance was made for the cost of buildings, and £3,300,000 had been sunk by counties in lunatic asylums within the last 20 years. The money had been borrowed at an average rate of  $4\frac{1}{2}$  per cent; and it would be a great boon to counties, and to such boroughs also as had lunatic asylums, if money could be borrowed from the Public Loan Commissioners in respect of these buildings. The outstanding loans of local authorities amounted to £44,000,000, and yet they went on borrowing and expending without it being the duty of any Minister to impose a check upon them. He, therefore, rejoiced to hear the remarks which fell from the Chancellor of the Exchequer as to the salutary influence which had been exercised by the Chambers of Agriculture in checking additional charges on ratepayers. The value of the concessions just made should be compared with the additional charges recently imposed upon local taxation. Within the last 10 years, £1,250,000 had been added to the expenditure out of local taxation; £680,000 was for police; £330,000—exactly the amount now given—for lunatics; and £55,000 for vaccination. In addition, within the last two years, £162,000 had been paid for education, and £23,000 for sanitary purposes. These additions were equivalent to a rate of  $3d.$  in the pound, and the concessions were equivalent to a rate of  $1\frac{3}{4}d.$  in the pound, and these new charges had been imposed on a fund supplied wholly by rates. The late Government were very much to blame for not taking up the question of local taxation earlier than they did; while as to the waste of power alleged by the late Prime Minister, in the way these grants had been made, without taking securities for better administration, he did not think the local governments, suffering as they did from new charges, were quite in a temper to receive conditional propositions with much favour. He was glad to learn that the proposals of the Government in relation to this matter were not confined to grants of money from the Imperial Exchequer. He understood they were inclined to deal

with the question of administration, and there he looked for more important results than from grants of money, for it was not to be expected that justice could be done to the subject until the jumble and mess of the existing state of things should be met by a better system of administration. He believed that millions of money raised by local rates were lost through want of more intelligent and harmonious administration. Whose fault was that? It was the fault of each succeeding Government, who had left this subject untouched until at length they had been stimulated to bring it forward by the ratepayers in the country. In any reforms that might be carried out in respect to administration, he would urge that it would be well that the present small rating areas and petty sessional divisions should be amalgamated, so as to form larger districts, and that these should be placed under some authorities of more importance than the present Boards of Guardians, and more able and willing to give their attention to the matter. He would conclude by saying that in urging reform in regard to local taxation, the country people had acted a not unworthy or unintelligent part, and the towns had to thank them for the initiative which they had taken.

MR. BACKHOUSE said, he approved the aid proposed to be given by the central authority in the case of lunatic asylums; but he wished chiefly to call attention to the subvention in aid of the police rate. With regard to the police force, there was a minimum of local control as compared with the expenditure authorized for other local purposes. Virtually, the state and efficiency of the police depended upon the central authority. When the Government subvention amounted to one-half the expense of the force, he thought its efficiency should be thoroughly investigated. There might be fewer superior officers compared with the number of men in the different districts, and the whole charge and management of the police, he thought, might be taken by the Central Government. Its efficiency would in that way be much improved. The additional means which might be requisite to carry out his proposal would be supplied by a small tax on lands held by corporate bodies, who were free from succession duty, calculated at  $2\frac{1}{2}$  per cent of the rental, or 6d. in the pound. These properties would

be relieved by the aid granted to local taxes, and it was undesirable to encourage the holding of land by Corporate bodies. There could be no more Conservative policy than that the number of proprietors of land should be increased. He regretted that the Chancellor of the Exchequer had not done more towards reducing the National Debt. This country had recently enjoyed years of great national prosperity, and now that so many taxes had been repealed, the duty of a further reduction of the National Debt should not be altogether lost sight of, especially when it was considered that this country owed a larger number of years' purchase of the Revenue than almost any other country in Europe, excepting France, Portugal, Greece, and Turkey. He trusted that the surplus of the Chancellor of the Exchequer would not be encroached upon by Supplementary Estimates, and that the Government would bear in mind the importance of economy in the national expenditure.

MR. J. G. HUBBARD said, he was happy in bearing testimony to the frank, clear, and satisfactory statement of the Chancellor of the Exchequer, and it was the more satisfactory because the Budget was provisional in some of its more important points. The right hon. Gentleman (Mr. Gladstone), in commenting upon the reduction of 1d. in the income tax, took it as a declaration that the Chancellor of the Exchequer intended that the income tax should be entirely removed at a subsequent stage. He (Mr. Hubbard) did not think that the Chancellor of the Exchequer had said anything to justify that remark, and if the right hon. Gentleman had heard the speech of the Chancellor of the Exchequer, or if he had read it more carefully, he would have found that the Chancellor of the Exchequer had most carefully guarded himself against the supposition that in any proposal they now made, the Government gave up their right to consider with entire freedom either the reconstruction, or the abolition of the income tax. He approved the reduction of 1d. precisely because it left the entire question of the income tax free and open for the consideration of the Government and the House in a future Session. The Chancellor of the Exchequer only made one slip—namely, when he spoke of the interest of the Debt as £26,700,000.



The interest of the Funded Debt was £21,700,000; the other £5,000,000 were Terminable Annuities, of which £1,500,000 were interest, and £3,500,000 were capital redeemed. It was consolatory to remember that when the country was paying off these Annuities, it was also paying off the Debt itself. As, however, these Terminable Annuities approached towards extinction the redemption of debt became heavier. The Savings Banks Commissioners were now re-investing £3,500,000 on account of the Terminable Annuities which would be extinguished in 1885. As time went on the sum redeemed would rise to £4,000,000, and in the last year of all it would amount to £4,500,000. There would be much inconvenience in further increasing the already large liquidation of the Funded Debt provided for in 1885, and the right hon. Gentleman the Member for Greenwich was right in suggesting that the year 1885 should not be burdened by any further amount of these Terminable Annuities. If this system of paying off the National Debt by means of Terminable Annuities were to be followed out, it should be carefully watched. He (Mr. Hubbard) had objected to the manner in which these operations had been proposed, and would only now remark that even for a good purpose, no Chancellor of the Exchequer had a right to give a deceptive character to a financial operation, and that a fraud, even if it were a pious fraud, was not to be admired either in religion or finance. If, however, the country had accepted this mode of dealing with the National Debt, the most convenient mode was to carry it on continuously year by year. As the Debt became liquidated an additional amount of Terminable Annuities should be created, expiring in the year following 1885, so that the operations of the present year should be invested, not in Consols, but in a new amount of Terminable Annuities, expiring in 1886, to be followed by a further amount expiring in 1887. By that means the Chancellor of the Exchequer would have a regular succession of payments falling due each year, and insuring the extinction of a certain amount of Debt. Hitherto, these operations had been of a fitful description; but if they were to become part of our financial system, they should assume a regular character. It would tend to the con-

venience both of the Chancellor of the Exchequer and the National Debt Commissioners that the latter should be saved from the investment of too large an amount in one particular year. The present Budget being one of a provisional character, the House and the country must be looking forward to a Budget of a very different character next year; there was a great field for investigation before them into the whole subject of our Revenue, the way in which it was raised, the property on which it was raised, and the conditions of that Revenue generally; in fact, the whole question of local and Imperial taxation required to be reconsidered, and it was one well deserving of attention before another year. In conclusion, knowing the great interest and zeal which the hon. Gentleman had always shown with regard to these subjects he desired to express his satisfaction that the hon. Member for Hackney (Mr. Fawcett) had returned to the House to take part in these discussions upon our financial policy.

GENERAL SIR GEORGE BALFOUR said, that the question of local taxation was by no means of a novel character, and had received a great deal of attention during the last quarter of a century. It was, however, in an unsatisfactory state, not only as respected the amount of taxation, but more especially as regarded the management of the expenditure. From the numerous boards and parties mixed up in the affairs, many of whom were irresponsible for raising the funds and only charged with the duty of expending money levied by others, the natural result followed of waste and confusion in the expenditure of the people's money. He could not agree with what had been said in favour of increased advances from the Consolidated Fund in relief of the local ratepayers. He viewed this aid from the Imperial Treasury to be a dangerous precedent, and one that would lead, as it had done, to carelessness and extravagance in spending. He considered it of great importance to improve the control over all local taxation and expenditure, and trusted that the Home Secretary would examine the Bills brought in in 1837 and 1849 by Mr. Hume, and especially Mr. Milner Gibson's Bill of 1852 upon County Financial Boards. The whole amount now contributed, or proposed to

*Mr. J. G. Hubbard*



be contributed, towards local taxation from the Consolidated Fund amounted to £3,750,000, or as much as was to be raised by the income tax. The House ought to know how far that transfer was to go on, and he trusted that the Government would pause before they allowed the Consolidated Fund to be drawn upon for objects of local expenditure. The Treasury were paying £1,750,000 towards the police of Great Britain, and altogether a sum of about £2,500,000 was contributed towards the police of the whole country. An examination of the annual Reports on the police of counties and boroughs would show that the police force had nearly doubled in strength since 1856. The principle should be adopted of either maintaining the police out of the local rates alone, or, if out of the Consolidated Fund, of having a vigilant supervision exercised over them both in point of numbers and of pay by the Government, for a steady increase had been going on in their numbers and pay, and that increase was still proceeding. Indeed, at the present time the total strength of the police in the United Kingdom must be nearly 40,000, judging by the expenditure; but it was difficult for a private Member to ascertain the number or actual outlay. It was a subject well deserving more attention. He heartily thanked the Chancellor of the Exchequer for the excellent Budget, on the whole, he had brought in, and he hoped that with a good Budget next year they would also have an improved system of administration of local taxation. He, however, greatly regretted that the tax on sheep dogs and guns had not been abolished, for the farmers of Scotland were anxious for the remission, and felt the wrong inflicted on the farming industry at a time when all other industries were freed from fiscal burthens, and he hoped the right hon. Gentleman would consider that matter before next year. The abolition of the sugar duty would be a great boon to the agricultural interest, for no part of agricultural business was more profitable than the feeding of cattle, and the abolition of the sugar duty would enable farmers to use sugar more largely in the feeding of cattle, and thus in two years render cattle fit for food, instead of, as usually, requiring three years to rear cattle on the ordinary food.

SIR LAWRENCE PALK said, he was sorry that the Government had not devoted a greater amount to the relief of local taxation, for he thought this was a time when the agricultural interest might suffer very much, not only from the price of labour, which was high, and still rising, but from the Unions, which would paralyze, if continued, the whole system of agriculture in the country. Many burdens were about to be put on the agricultural community with reference to local government and sanitary improvement which it had not hitherto felt, among which were the maintenance of the highways, and the Sanitary Acts, which were still in the infancy of their operation. The Chancellor of the Exchequer slightly alluded to the labourer's dwelling. That was a question of the greatest importance, for it was only in a few counties, and certainly not in that part of the country which he had the honour to represent, that cottages were in a fit state for the labouring population, and he expected that the Chancellor of the Exchequer would have grappled with that question. The erection of suitable cottages was a very expensive affair. There could be no return for the outlay, and many estates were so tied up that it was impossible for the tenant for life to raise a fund for the erection of suitable cottages. Acts had been passed to facilitate their erection, but the whole machinery was so expensive that it had not had that effect which was absolutely necessary for the health and prosperity of the labouring class. He thought it was absolutely necessary that the provisions of the Sanitary Acts should be put into operation, so as to shut up the cottages which were not fit for human habitation. Moreover, if cottages were not built in which labourers could live in decency and comfort, it was natural they would become members of Agricultural Labourers Unions and listen to agitators who would tell them that if they emigrated they would soon become rich, and owners of property, and offer them inducements to separate themselves from their employers. It would be a bad day, in his opinion, for English agriculture when the relations between the labourer and the farmer, or the landlord, should be regulated simply by commercial consideration. He was sorry that another year would be allowed to pass before the question of local taxa-

tion would be dealt with. The agricultural population would not be satisfied with the small boon that had been given to them, and he hoped that next year the right hon. Gentleman would afford them that relief to which they thought they were entitled.

MR. ORR-EWING: Sir, I would not have occupied the time of the House with any remarks on the Budget of the right hon. Gentleman the Chancellor of the Exchequer, had he not, when speaking of the large revenue derived from spirits, and the possibility that in some future day the revenue from spirits might be reduced, made use of the following words:—

“You may say that that is a very dangerous thing to rely upon. It is dangerous and not very pleasant, I admit, to rely upon the increase in the consumption of spirits as a source of future Revenue. It may also be said that the time may come when a check will come and that source of Revenue may fail you. I have asked myself—how is it that you expect this source of Revenue will fail, what will be the cause of its falling off, and why should not spirits be able to bear—and it is quite possible they might be able to bear—an increased amount of taxation, without diminishing the consumption? That is one source of Revenue which is still open to us upon an emergency;”

and when I add to these words, the remarks of my hon. and gallant Friend the Member for West Sussex (Colonel Barttelot), who said he wished a gradual reduction of the malt tax, “for if the agriculturists received the franchise they would denounce a duty on one of their chief articles of consumption.” It appears to me, Sir, that that language means that the injustice, that the people of Scotland and Ireland, and also the distillers of these two countries, have for 14 years submitted to, is to be aggravated and perpetuated. I, therefore, as a Scotchman and as a Scotch Representative, feel it my duty to call the attention of the Chancellor of the Exchequer and of the House to the existing inequality of the taxation on the national beverages of England, Ireland, and Scotland; but before doing so, I would in the first place, Sir, beg to offer my humble congratulations to the right hon. Gentleman upon the equitable manner in which he has distributed the large surplus, which the industry of the people and the unparalleled prosperity of the nation has put at his disposal. I am amused to hear hon. Members on that

side of the House speak of this surplus as a bequest from the late Administration to the present. The merit of having a surplus belongs no more to that side of the House than to this. It is the product of the expenditure of the nation upon the luxuries of life arising from high wages and great manufacturing profits—in which I am sorry to say the cotton trade has not participated. But however that may be, there can be no doubt that the manner in which the right hon. Gentleman has dealt with it has given very general satisfaction. Of course, we cannot expect unanimity on such a subject—many men, many minds. Some would have preferred larger provisions for the reduction of our National Debt; some the abolition of the income tax; others the relieving of all incomes below £300 from the tax. I myself had hoped that shepherds’ dogs would have been exempted from the dog tax, and that farmers would have been allowed to use a gun for the protection of their crops without paying the gun tax. All these suggestions may be good in themselves, and I have no doubt will receive the attention of the right hon. Gentleman on a future occasion; but, in the meantime, the country seems to approve of the selection that has been made of the articles that are to be relieved of taxation. No part of these proposals were received more cordially by the Committee than when the right hon. Gentleman dealt with the claims of the brewers, and especially when he was interrupted by the hon. Member for Derby (Mr. M. T. Bass), who has the distinguished honour of being the king of that most flourishing trade. The Committee felt that the brewers’ claim was unreal and groundless. Now, what is the nature of this great trade of brewing—one of the most important and most prosperous trades in the country? It is the converting by fermentation of malt, sugar, molasses, and other saccharine matter into alcohol. The product has many names, porter, stout, ale, beer, and I have no doubt many others I am not familiar with. It is a business analogous to distilling, but stops short at the last process, leaving the alcohol in the mother liquor. The object of the brewer and distiller is exactly the same—to provide alcohol in many forms for the drink of the people. Let us see now how those trades have been dealt with

*Sir Lawrence Palk*

of late years, as to taxation, and what they contribute to the national funds according to the quantity of alcohol they produce and sell. The distillers pay now five times what the brewers pay for the same amount of alcohol. These, Sir, are the illused class of men who have been knocking at the door of the Treasury for relief. But how is it with the consumer of these drinks? Out of every 2s. spent on whisky, in which there are five gills of proof spirits, the consumer pays 1s. 6d. to the Revenue, while from the consumer of 2s. worth of beer, in which there are 4½ gills of proof spirits, the Revenue receives only 3d. The consumer of spirits pays thus six times the amount that the beer consumer pays to the Imperial Exchequer. Sir, I ask the House, I ask the Chancellor of the Exchequer, is that just to the consumer of spirits; is it just to the revenue; and, above all, is it just to the people of Scotland and Ireland, whose national beverage is whisky? Why should the Scotch and Irish pay six times the amount of duty that the English do, for the form in which they prefer to drink their alcohol? I shall be told that the curse of Scotland is that the people drink so much whisky; that it leads to drunkenness, to poverty, crime, premature death. Well, Sir, I am not here to deny that many of the Scotch nation might with advantage drink less. As much may be said in the case of England and Ireland. But, do statistics bear out those sweeping allegations? Are our poor rates heavier; are offences against the law more numerous? Is our death rate greater? Quite the reverse. Our poor rates are considerably less than in England; our crime is less; and our death-rate per 1,000 is about 2 per cent less than England. The most important question, however, is, do we in Scotland drink more alcohol than England? Quite the reverse. The people of England consume about 50 per cent more alcohol than the people of Scotland, and 100 per cent more than the people of Ireland. The statistics for 1873 are—

England . . . 6·689	} Gallons per head of proof spirits, as contained in whisky, gin, brandy, rum, ale, beer, porter, &c.
Scotland . . . 4·575	
Ireland . . . 2·911	

And that is without estimating what alcohol is consumed in cyder and perry, of which there is an enormous consumption

in England, and in which there is a considerable amount of alcohol. The truth is, Sir, the habits of the people of the three countries are altogether different. The working classes of Scotland do not as a rule, drink spirits daily; indeed, the most of them will not taste spirits for days—many for weeks, when they may, if from home, or on a Saturday night, indulge sometimes too freely; and the fact that having drank whisky, may be a little more demonstrative than the Englishman who may have partaken of ale or beer; but the difference is this—that the Englishman drinks his beer, morning, noon, and night. The consequence is, he becomes sottish, and the statistics that I have given as to the death rate; that Scotchmen, notwithstanding their worse climate, worse houses, and the fearful death rate in all our Scotch towns and cities, live longer than Englishmen, is an evidence that the drinking of beer is more injurious than the drinking of whisky. I trust, Sir, that these facts, which I, perhaps, have placed at too great a length before the House, may prevent the Chancellor of the Exchequer from yielding to the appeals for the reduction of the malt tax or of brewers' licences, and thus aggravating and perpetuating the injustice of the inequality of taxation of Scotland and Ireland, which has existed for the last 14 years. There is but one way in which the malt tax can be repealed—and I trust the right hon. Gentleman will have the courage to grapple with the question—by placing brewers under the Excise, and charging them for their production according to its alcoholic strength. If the right hon. Gentleman would have the courage to do that, he would have funds not only to abolish the malt tax and brewers' licences, but the tea and coffee duties and the income tax, and would have a large sum to devote to reduce local taxation. But above all, Sir, he would have the satisfaction of feeling that he, an English Chancellor of the Exchequer, had done justice to Scotland and Ireland, who were powerless of themselves to effect the change of equalizing the taxation of the three countries in their national beverages.

MR. PEASE concurred in the agreeable criticisms on the Budget which they had recently heard from the right hon. Gentleman the late head of the Govern-

ment. These criticisms might have been expected to have had not only the support of hon. Members on the Government side of the House, but the whole Budget might have been expected to meet with their grateful approval instead of the feelings of disappointment expressed. He looked with something like astonishment on the arguments adduced by the hon. Gentleman the Member for Dumbartonshire (Mr. Orr-Ewing) who had just sat down. If he understood the hon. Member rightly, the argument was that the 3,000,000 of people in Scotland were very temperate in the use of spirits, while the 22,000,000 in England were very intemperate in their use, and that therefore the duty on spirits ought to be reduced. He could not follow this reasoning.

MR. ORR-EWING said, he could not see that he gave the hon. Member any reason to suppose that he argued for a reduction on the spirit duty. His remarks had relation to the high duty on spirits, and the comparatively small duty on beer.

MR. PEASE: And therefore that the duty should be increased on beer. He commended this argument to his hon. Friend the Member for Derby (Mr. Bass). He would congratulate his right hon. Friend the Chancellor of the Exchequer on the views which he appeared to entertain on this question. The feeling of the country and the late debate had given him possession of the duty on the malt for as many years as he chose to keep it, and no doubt he would keep it with satisfaction to himself and the country at large. Apart from this point, the object of his rising was to call the attention of the right hon. Gentleman to one question of local taxation which he might have to adjust, and that was the hardships falling on agricultural interests in neighbourhood of towns. Local taxation was falling very heavily on towns at the present moment. There were sewage works going on, building, and other local improvements. It was, therefore, a difficult matter to put more taxation on these towns; but whilst those large works were going on in towns, there also happened to be changes in their vicinity, such as the abolition of all the turnpike gates, laying greatly increased rates, sometimes amounting to 2*d.* and 3*d.* in the pound, on farmers in the immediate neighbourhood of these

towns. With regard to the abolition of the duty on horses, he thought that the right hon. Gentleman in taking the duty off had done much towards the improved breeding of horses. It would decidedly encourage the farmer in the breeding of horses. It would, no doubt, please those who kept horses for other than trade purposes; but to those who did so the duty was not so much a matter of importance. The abolition of the duty would most affect the convenience and comfort of the people at large—those—and they were by far the largest number—who kept horses essentially for trade purposes. It was, perhaps, not an over-calculation to say that nine-tenths of the horses were kept for purposes of trade; there could be no doubt that the tax was essentially a tax on the industry of the country. He had been almost alarmed when he heard the right hon. Gentleman the Chancellor of the Exchequer quailing before the eloquence of the hon. Member for Kincardineshire (Mr. Barclay) on the subject of the gun tax. If he recollected aright, a special clause had been inserted in a measure that had been before the House, as to the farmer's right to use a gun for the purpose of scaring away birds; but the indiscriminate possession of untaxed firearms was not desirable. Along with other gentlemen, he had waited on the late Chancellor of the Exchequer in order to ask him to put a tax on guns, and he considered there was good reason for the request. They had made that request, because they found that some of the people in their northern districts were rather prone to use firearms. Some of these people of the Celtic race carried revolvers, which were brought out whilst they were in drink, and, being fired across the road, men were hit who were never intended to be hit. He looked upon the tax on firearms, therefore, as a useful tax. With regard to the tax on dogs, he agreed with those who thought it should be retained and increased, with the exception of shepherd dogs. In the border counties of Northumberland and Durham there were a large number of freehold farms as well as leasehold, and many of these farms were but small, embracing some 15 or 20 acres, and the farmers kept sheep on adjoining commons, and with their limited incomes often found the tax upon the shepherd dogs a perceptible increase

*Mr. Pease*



in their rents. He would therefore ask the right hon. Gentleman the Chancellor of the Exchequer to think whether he could not give some relief to these and other farmers similarly placed, by removing the tax so far as sheep-dogs are concerned. These dogs were not formerly taxed when all others were taxed, and the late Chancellor of the Exchequer (Mr. Lowe) had taxed all dogs alike, including shepherd dogs; but it seemed to him that they might with great propriety tax sporting dogs to a larger extent, and all other dogs kept for pleasure, and allow these useful trade dogs to go free.

MR. J. R. YORKE regretted that a better opportunity had not been given to the hon. Baronet the Member for North Wiltshire (Sir George Jenkinson) to discuss the question of turnpikes the other night. That subject of local taxation, with respect to which there existed great ground of complaint, had been well thrashed out by discussion in the Chambers of Agriculture, which were rapidly becoming provincial Parliaments, and he trusted the Government would turn their attention to it. It was obviously impossible to get this country to assent to a system of *octroi* duties such as prevailed in foreign countries, and it was equally impossible to adopt a graduated system of rental for taxation. With regard to the proposal to have a separate Schedule in the income tax for local purposes, it was clear that that tax was in course of extinction. Thus there remained only two modes of solving the difficulty—the one adopted by the Government last year, of charging on the Consolidated Fund the police, the lunatics, and, perhaps, in the future the administration of justice; and the other was the scheme proposed by the hon. Baronet the Member for Wiltshire. On the whole, the agricultural interest had reason to congratulate themselves on the right hon. Gentleman's Budget. They were, at all events, saved from the solemn warnings of the right hon. Gentleman the Member for Halifax, who said they were unwise to raise the question in so large a manner. He was glad they were no longer treated to warnings of that kind. He could not, however, concur with the hon. Member for South Durham (Mr. Pease), who thought the Chancellor of the Exchequer had done justice by the manner in which local

taxation had been lightened by a subvention in aid of the maintenance of lunatics in public asylums. The proposal might be accepted temporarily, as a step in the right direction; but in another year he hoped the right hon. Gentleman would see his way to a larger measure by which local taxation, which now went into the Imperial Treasury, such as the house tax, would be applied to the relief of local burdens.

VISCOUNT NEWPORT thanked the Chancellor of the Exchequer for the remission of the horse duty, which would be a boon to a great many persons, and would eventually tend to the improvement of the breed of horses. But then he wished to call attention to an effect which the remission might have. One of the inducements to young farmers for entering the Yeomanry had been the exemption from the horse duty; but now when there would be no longer a duty of the kind, it was feared they would not be so eager to join the service. He would ask the Secretary of State for War to consider whether some other inducement could not be held out to them to do so.

MR. SCOURFIELD said, he could not help regretting that no sensible impression would be made on the Debt by the proposals of the Government, more especially when it was considered how favourable was the opportunity that now presented itself of doing so. Perhaps the reason for it was that it was thought desirable some concession should be made to the hon. Baronet the Member for Maidstone (Sir John Lubbock) that one "ancient monument" should be preserved, and that one our National Debt. There was one danger which was always connected with the question of local taxation, which was that the amount had always been indirectly determined by persons who had no interest whatever in the payment of the taxes. Take the case of a lunatic asylum with 300 patients, for whom the Government would give 4s. a-head or £60 a-year. But suppose an Inspector went down and said the accommodation was not sufficient, and, to carry out some crotchets, required a large outlay to be made, it might well happen that the benefit to the local taxpayer would be very small, or would disappear altogether. Sydney Smith had said that every one would be a good Samaritan but for the oil and twopence.



When the Inspector went down he had not to give either the oil or the twopence, and nothing was more agreeable than to give advice and recommend other people to pay the cost of it. The benefit to local taxpayers did not depend upon the amount of relief granted by the Legislature, but on the amount of the requirements made.

MR. HEYGATE trusted that his right hon. Friend the Chancellor of the Exchequer would not pay attention to suggestions for the remission of the dog tax. The only fault of that tax was, that it was too small, and fostered the existence of a vast number of useless animals, which did an infinite deal of mischief in a small way, and were a nuisance to all their neighbours. He had received several letters complaining of useless dogs, which went about barking at people's heels, and besides did an infinity of mischief, and he knew a village of some 500 inhabitants in which there were between 70 and 80 dogs, which roamed about the country, to the great annoyance of the neighbourhood. A suggestion had been made to him whether it would not be possible to double the dog tax, but to grant exemptions in favour of shepherds' dogs and other useful agricultural dogs, just as there had been an exemption in favour of agricultural horses, and he thought it a reasonable proposition. With regard to the Budget he regretted that his right hon. Friend had not adhered to the ordinary mode of calculating the revenue which gave a surplus of £4,000,000 only. His estimated addition of £1,500,000 from continuing increment, and another £500,000 from repayment of advances, was novel and untried; and with a falling trade this was not the year to make a new experiment of that kind. As a mere matter of calculation, he dared say his right hon. Friend was quite right in the estimated increase of the Revenue; but, in spite of the sanguine expectations of the Revenue officers, looking to the present condition of the trade of the country, he doubted the propriety of anticipating it this year, and feared that in the end it might be necessary to re-impose taxes which had been prematurely taken off, while if the estimate were realized, it might very well be applied in reducing the National Debt, which still amounted to

between 700 and 800 millions, and which, in these days of extraordinary prosperity, and while our coalfields were yet comparatively unexhausted, it was our duty to make some sensible impression upon. It would have been wiser not to have touched the horse duty until the tax on railway passengers could be spared; it was a question whether the passenger tax should be entirely abolished, but it was indefensible to punish railway companies for carrying third-class passengers by all their trains, and he had hoped to have seen the Government withdraw this year from the untenable position they had taken up in this respect.

MR. KINNAIRD said, that in his county (Perthshire) the dog tax was really intolerable, because it was necessary for a farmer to keep more than one dog to preserve the breed. Even at a time when everything was taxed, Mr. Pitt was careful to exempt shepherds' dogs, and he hoped his example would have influence now.

LORD ESLINGTON said, that in his county (Northumberland) the increase in the number of dogs had become a nuisance, and he had presented a very numerous signed Petition praying the House to take some steps to prevent the increase of mischievous and useless dogs, and complaining of the smallness of the tax. There was no animal that became such a depredator as a sheep dog, and when control over him was lost, he would worry sheep by the hundred. In fact, the superabundance of dogs was becoming a serious check upon the production of sheep.

COLONEL EGERTON LEIGH said, that when hon. Members talked of the destruction of dogs, he thought he heard a shudder from the invisible regions of the House. In his opinion the tax on dogs ought to be increased, and their owners should be compelled by law to put collars on them, with their (the owners') names inscribed thereon. He approved of the abolition of the duties on horses. He thought the Government would find its reward in the cheaper rate at which they would get troop horses for the cavalry, as the abolition of the tax would most certainly lead to a large increase in the breeding of horses. On the whole he approved of the Budget. It was impossible for a Ministry called into existence at such a short notice to

*Mr. Scourfield*

deal with everything. It was better to begin moderately, but another year he trusted they would enlarge their phylacteries, and produce something extensive enough to satisfy all classes of the community.

MR. WHITWELL hoped the Chancellor of the Exchequer would not be unduly swayed by the bad character given to the dogs of Northumberland, which could hardly be the genuine Scotch collies and the well-known sheep dogs of Northumberland and Westmoreland. There were many farmers in the hilly districts of the country who would not feel the remission of the horse duty anything like so great a relief as they would the exemption of dogs.

THE CHANCELLOR OF THE EXCHEQUER said, he could assure the House that sheep dogs and taxed dogs generally had given him more trouble than almost any other subject. To settle a proper system of taxation on dogs, taxing those that ought to be taxed, and not taxing those that should not be taxed, was something like the attempt to balance an egg on its end, which even Columbus could not do till he broke the egg. A suggestion had been thrown out the other evening that the tax might be treated somewhat as a local tax; and he then said he would consider it with the gun tax, and see whether there was any possibility of dealing with the two together. With regard to the other questions he did not mean to detain the House after the rather desultory but useful and interesting conversation which had been held; but he must express his obligations to hon. Gentlemen for the favourable way in which they had spoken of the proposals in the Budget. He could only say with reference to the gloomy predictions of his hon. Friend behind him (Mr. Heygate), he still hoped that things would not be so bad as he appeared to anticipate. For himself, he must say he should not have been acting honestly by the House, if he had taken the Estimates lower than he had done, and he should have been committing a pious fraud, had he pretended to believe that the surplus would be smaller than he really believed it would be. With regard to what had been said by his hon. Friend the Member for the City of London (Mr. Hubbard) on the subject

of Terminable Annuities, anything which fell from him on such a subject must command great respect and attention. He was very glad to find that his hon. Friend in general approved the system of reducing Debt by way of Terminable Annuities. The practical suggestion which he had thrown out well deserved consideration, and might possibly form the basis of a scheme of more general character than had yet been adopted, for he quite agreed as to the inconvenience of having too large a sum coming into the hands of the Commissioners for the Reduction of the National Debt for re-investment. Hon. Gentlemen who spoke slightly of what was being done for the reduction of the Debt seemed hardly aware of the fact that the interest of the Debt was not £26,000,000, but rather £21,500,000, a considerable portion of the remainder being really redemption of the Debt. In reality, we were paying off £3,000,000 or £4,000,000 a year, to which we were now adding another £500,000 for the redemption of Debt in the next 10 years. With regard to what had been said by the hon. Baronet the Member for East Devon (Sir Lawrence Palk), the Government did propose to proceed on the question of local administration by taking up a rating Bill, which would shortly be introduced. He must thank his hon. Friend the Member for South Leicestershire (Mr. Pell) for his very judicious and friendly remarks on improvements in administration, to which he attached great importance. Much, no doubt, might be done by improvement in administration, quite as much, perhaps, as by subvention in aid of local taxation, and that was the plan the Government proposed to adopt. He was sorry the hon. Baronet the Member for North Wiltshire (Sir George Jenkinson) had not a better opportunity the other night of discussing the horse duty and its transfer to the relief of turnpike trusts; but it would be impossible to assent to such a proposal. All that could be done would be to decline to take off the horse duty, and that would not have been in accordance with the general feeling of the House or with the opinion of the Government as to the disadvantage and burden of the tax. To apply it to the maintenance of turnpikes would have been impossible, and it would be extremely difficult to devise a

plan to apply the proceeds of one tax to get rid of another. It would be far better not to encumber the proceedings of the House by such an attempt, which would be going back to the old system of finance. He might take this opportunity of saying, with regard to the horse duty, that a suggestion was made the other night by the hon. Member for Mid-Lincolnshire (Mr. Chaplin) as to the time at which that duty should expire. As the Resolution now stood, the horse duty would cease on the 1st of January next. With regard to the proposal it referred to a matter of no fiscal importance, because licences were taken out for the year on the 1st of January, and probably not above £5,000 or £10,000 could be expected to come into the Exchequer from horse licences taken out during the remainder of the year; but parties might, in the interval, unwittingly bring themselves within the letter of the law, and therefore he proposed that the duty should determine on the 1st of July in the present year, instead of the 1st of January next. When the Resolution was read therefore he should move that it be amended in that respect.

MR. CHAPLIN thanked the right hon. Gentleman for his concession. He thought the abolition of the horse duty would have a beneficial effect on the breeding of horses in this country, which at present was seriously on the decline. He hoped on a future occasion to bring the whole of the subject under the attention of the House.

First Resolution *agreed to*.

Second Resolution read a second time, and amended, by leaving out the word "January," and inserting the word "July," and by leaving out "seventy-five," and inserting "seventy-four."

Resolution, as amended, *agreed to*.

Subsequent Resolutions *agreed to*.

Resolutions which on the 23rd day of this instant April were reported from the Committee of Ways and Means, and then agreed to by the House, read:—

Bill or Bills upon the said Resolutions, and upon the Resolutions now reported and agreed to by the House, *ordered* to be brought in by Mr. RAIKES, Mr. CHANCELLOR of the EXCHEQUER, and Mr. WILLIAM HENRY SMITH.

*The Chancellor of the Exchequer*

#### SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

#### WEST AFRICAN SETTLEMENTS.

##### RESOLUTION.

MR. HANBURY, in rising to call attention to the Report of the Committee which inquired into the condition of our West African Settlements in 1865; and to move—

"That this House is of opinion, that, in the interests of civilization and commerce it would not now be desirable to withdraw from the administration of the Gold Coast,"

said, the condition of things in our West African Settlements was very different now from what it was when the Committee reported on the subject. In 1865 the position of those Settlements was, if not entirely hopeless, entirely unsatisfactory; and the Gold Coast, of all others, was most unsatisfactory. The trade was not only ridiculously small, but decreasing; and while the expenditure amounted to only £9,000 a-year, the revenue reached to only one-half of even that sum. At that time—and so long as the Dutch remained upon the Coast—there was no possibility of increasing it. A poll tax had entirely failed. A licence duty on the sale of spirits was being tried with an indifferent prospect of success; and the Customs duties themselves were levied in a manner expensive in collection, and distasteful to those from whom they were collected. So little had been done towards the civilization of the Gold Coast that human sacrifices—which, it was hoped, had been suppressed—threatened to reappear with increased vigour on our withdrawal. On the other hand, the slave trade, the suppression of which had been our primary object on the Gold Coast, had almost entirely ceased. Our prestige, gained under Governors Maclean and Hill, had been lost in the disastrous expedition of 1863, when our troops, after an encampment of three months on the bank of the Prah, during which they never once saw the enemy, were seized with a panic, and fled precipitately to the Coast. So unsatisfactory, in fact, was the state of affairs on the Gold Coast that the Committee would have been justified in proposing the

abandonment of the Settlement had not strong considerations of humanity urged Great Britain to remain. Since 1865, however, circumstances had entirely changed, and while we should experience even greater difficulty in withdrawing, we had now the strongest reasons for remaining. He would not refer to the moral effect of the war just concluded, but he would rather call attention to the satisfactory position of our material resources. From a Report published by the Colonial Office there had been of late years a gradual increase in the revenue and trade of the coast. The imports had risen in 1872 to £260,000 as against £77,000 in 1863, and the exports to £385,000 in 1872 as against £53,000 in 1863. In 1872, the revenue had increased to £40,000 as against £8,547 in 1863. Of even this £8,547, about £4,000 was, in no proper sense, revenue, but supplied from the Imperial Treasury. But as on account of the war then going on, that contrast might not be regarded as fair, he would take the average of the six years from 1867 to 1872, compared with the average of the six years from 1858 to 1863. The average annual imports in the previous period were £200,000 as against £120,000 in the latter, whilst the exports showed an increased average of £280,000 as against £115,000. The trade with the Fantees for palm oil, &c., had been steadily increasing year by year, and as to the real trade of the Gold Coast—the Ashantee trade—it had not been opened at all for the last 10 years, and yet there was this enormous increase of exports and imports. The Returns of the year 1872, moreover, did not include the Dutch territories which had been handed over to us in April of that year. The full effect of the new tariff had not yet been felt, and still in 1873, when the war was going on, the revenue exhibited a considerable increase. The Revenue of 1873 was, in fact, £53,000 against an expenditure of £40,000. This expenditure was, no doubt, very large when compared with the £9,000 spent in 1863; but it still left us a balance of £13,000, sufficient, or nearly so, to cover the expenses of the Governor and the troops, which were now defrayed by the Home Government. The expenses of the squadron could not fairly be charged upon the Settlements, but counted rather against such places as the Oil Rivers, where the Commodore

had so constantly to interfere. More than this, on looking at the Returns of expenditure, published by the Colonial Office, he found sums amounting to sometimes £10,000 in a single year, which could, in no sense, be considered to form a portion of the expenditure, but which were rather the savings or surplus revenue of the Settlement. The present position was this—our prestige had been recovered by the war. Our imports had been increased by three-fold, our exports by seven-fold, and our revenue by twelve-fold, and we had a surplus of at least £13,000. But the right hon. Member for Birmingham (Mr. Bright), when addressing his constituents last year, had laid it down as an axiom of commerce that “trade flourished best without forts.” The example of the Gold Coast might, of itself, go far to disprove that assertion, inasmuch as, although we had held that Coast under most disadvantageous circumstances, we could point to an increasing trade and revenue. However bad our government had been both on the Gold Coast and at Lagos—and it could not be much worse—yet, owing to the advantage of British protection, the trade there had enormously increased. The trade of Lagos had increased from £300,000, in 1863, to £800,000 in 1873, and the revenue from £16,000 to £41,000. In 1865, a large number of merchants and others interested in this trade were examined before a Committee. Some of them were in favour of our retaining the Settlements, and others of abandoning them. But those who objected to their retention, took exception mainly to the machinery of the Bankruptcy Courts and other matters of that nature, which were not an essential part of our government. Of the objections on principle, one was, that our taxation drove the trade from our Settlements to others not our own, where there was no taxation. But that was an objection rather to no return being made to the merchants for the taxation imposed on them and their customers than to taxation itself. Lately, however, the system of taxation had been entirely changed. Now, legitimate trade had no taxation—it was imposed only on gunpowder, guns, and rum; and he did not believe any objection would be raised to taxes on articles of that kind, which were the great curse of the West Coast of Africa. It was said that when merchants had protection they were more



quarrelsome than when they had to trust to themselves, but the answer to that was, that, as a fact, our Gold Coast Settlements had had the effect of keeping both the Natives and the merchants in order, and the mere trade quarrels amounted to nothing at all. But whether the merchants quarrelled with them or not, the Natives, if not controlled, would, undoubtedly, do so both among themselves and with the merchants. It would be all very well if we could get merchants with the same kind of influence as Livingstone; but, unfortunately, the merchants in gunpowder, guns, and rum, were by no means the best specimens of Englishmen that could visit these countries. The Natives themselves were not such as Livingstone saw in the central parts of Africa, but were tribes already long debauched by this trade in rum and muskets. It was a curious circumstance that even those who did not advocate the retention of the Settlements were strongly in favour of retaining the squadron, except where the Native Chiefs were strong enough to afford the necessary protection, and these strong Native Chiefs were very rare. The whole West Coast was a country of small tribes, who were perpetually at war. Moreover, the tendency of our Government on the Gold Coast had unfortunately been to take all power out of the hands of the Chiefs. That some kind of protection was necessary to our merchants was clearly shown by the fact pointed out to the Committee, by Dr. Livingstone, that there was no trade whatever on the East Coast of Africa, simply because the Coast tribes were such Protectionists that nobody had any chance, unless he had British force at his back to open up trade. But a Settlement afforded much more protection than a Consul and a squadron would. The curse of the West Coast of Africa had been the inefficiency of our officials, and it was only by accident that we could find a proper man to accept the post of Consul there. In any case he would probably be a man of inferior stamp to a Governor, more open to bias, and less capable of deciding the difficult questions that must arise between the trader and the Native. The Commodore, if suddenly called in by him, had no time for a sufficient inquiry, and would naturally incline to the side of his countrymen. Thus, as a fact, the

tendency of the trader was to more frequent quarrels at such a post than where there was a regular Settlement. Beyond that, a squadron was far more expensive than our Settlements where we had some revenue, and on the Gold Coast, a very sufficient revenue. But the Oil Rivers were constantly quoted to prove the assertion that trade flourished best without a Settlement. Now, the case of these Rivers was wholly exceptional. It was the only place on the whole Coast where you found a wonderfully rich country and good means of communication combined. The enormous development of trade there previous to 1865 was due to this fact, and also to the fact that it was an entirely new trade. But what was the case now? The squadron had constantly been called in to interfere between merchants and Natives, and the true oil country had never yet been reached. The result was that trade there was now stationary; and, unfortunately, what imports there were, were principally rum, gunpowder, and Birmingham muskets. He was no admirer of negro character, no frequenter of Exeter Hall, no advocate for putting a coat of moral whitewash, very often a very thin one, on every black man we came across; but it was one thing to go on Quixotic expeditions of regeneration, and another thing to debauch these people by the rum and gun trade of our own countrymen. In that respect our conduct contrasted unfavourably with that of other civilized countries towards savage tribes, for the Americans levied heavy penalties on whoever sold spirits or firearms to the Indians of the reservations. We did the same ourselves in Natal. But he need not go further than England in search of an example. In this country, we took upon ourselves to deal with and to control the liquor traffic, and yet in the case of these people, who were comparatively children, we hesitated to protect them against the evil practices of our own countrymen. Not only that, but those who held that civilization and trade progressed hand and hand must surely mean that the trade should be a good trade? But the trade he deprecated not only created no new wants, but limited its own area. It was to the interest of the Natives on the Coast, when the trade was in arms and gunpowder, to prevent that trade extending inland, and there-

*Mr. Hanbury*



fore the extension was either impossible, or was carried on by a system of middlemen and of credit which had the effect of checking it. When we obtained any article of trade from the interior, the payment we made at the Coast was so diminished by passing through the hands of different brokers, that it was but poor remuneration by the time it reached the hands of the original producer, who therefore had hardly any interest in encouraging further production. The Returns which had been furnished showed that during the last 20 years our exports to Settlements non-British had actually fallen, while our exports to British Settlements had increased 70 per cent; and while our imports from the former remained stationary, they had doubled in the case of our own Settlements. Not only the amount, but the character of the trade also was different, for in 1872, while we exported £154,000 worth of arms and gunpowder to the non-British Settlements, we exported only £50,000 worth to the British Possessions. In the same way, the value of the spirits exported in the one case was £160,000, against £11,000 in the other. In other words, we exported to places where we had no Settlement twice the proportionate amount of arms, and more than eight times the proportionate amount of spirits. With respect to abandoning the Coast, all admitted that it was impossible to do so at present. The consequence would be, that the most horrible war would ensue, the place would become a kind of Pandemonium, and human sacrifices, with other barbarous practices, which had received some check, would break out with all their original force. If we were to wait until the people acquired a superficial civilization, or until some artificial system of self-government should be established, we should withdraw only to leave behind us a state of matters worse than it was before. The Natives would be in a worse position, for while we had not redeemed them from barbarism, they would, in addition, have contracted some of the vices of civilization. We were not in a condition to treat the Natives in the way we could have treated them when we first discovered them. They had been demoralized by the slave and spirit trade, and we had so deprived the Chiefs of their authority, that within the Protectorate, a

Chief sometimes had not even the power to imprison one of his subjects. Assuming that war would not break out, at any rate, it was apprehended that the Natives would take the whole of the trade of the Coast to themselves, as they had done in Liberia, and shut out English merchants altogether. Assume, however, that no such result occurred, it might be said that the trade at the Gold Coast could be conducted by a company. Well, with regard to the African Company, which existed up to 1821, and which received from the Imperial Exchequer a large subsidy, amounting at one time to £13,000, and at another time to £20,000, its inhumanity, cowardice, and injustice, especially in its later days, were such as to stamp its rule with a blot which had never been effaced, and to compel the Government to take the administration of the Coast out of its hands. It might be said that a better company could now be established—that, for instance, one of the limited liability companies that were in fashion might undertake the work; but anyone who had had as much experience as he had had in investigating the affairs of limited liability companies, would probably agree with him in thinking that there was not much in the way of commercial or any other morality to be expected from them. It was admitted that the administration of Governor Maclean had been one of the most successful ever known on the Coast; but it must be remembered that, although a servant of a company, he was a man of unusual ability, and that he took over the government at a most fortunate time, a war having been concluded in 1828 in which the disgrace of the previous defeat had been wiped out and our prestige had been re-established. Moreover, a Treaty had just been signed which was exceedingly favourable to the King of Ashantee, inasmuch as it permitted Ashantee traders, who previously had been stopped at Mansu, to come down to the Coast; and this in a great measure, accounted for the fact that peace lasted during the whole of Governor Maclean's administration. Our happy relations with that king were further secured by the presence of a Consul at Coomassie. But the great advantage that Governor Maclean possessed lay in the fact that he remained at the Coast for 17 years, and was able

during that length of time to acquire a thorough knowledge of the Natives. That was the great secret of his success on the Gold Coast, and proved that in this respect, at any rate, his rule was the model of the system they ought now to adopt. Moreover, he was not the mere deputy of a deputy, but the direct Representative, if not of the Sovereign, of a trading company which was directly under the control of the Government. In regard to the trade of the Coast, a comparison of the figures relating to the present time with those relating to the period of Governor Maclean's administration would be most unfair, as the former referred to only a few ports along the Protectorate, while the latter applied to the trade of the whole Gold Coast proper, stretching from the Assinee so far east as to Lagos. If a fair comparison could be obtained, he believed it would be found to be highly favourable to the present trade. Governor Maclean's administration had been pointed to as the administration of a trading company, but that could not be accepted as anything but an accidental description of it. It had, however, been that Governor's opinion, and the opinion of Mr. Swanzy, who had acted with him, that the administration would be very much improved, if it were once more taken wholly in hand by the Home Government. What, however, had recently been the difficulties in the way of our Government? While the Dutch occupied a Settlement on the Coast, there were constantly petty local squabbles arising, and smuggling was prevalent to the detriment of our finances, but now that they were gone, many of the difficulties which were connected with the financial question had been done away with. In 1865, when evidence was taken before a Committee of the House of Commons, one objection which attached to our Government in the Settlement, was the fact that the people of the Coast entertained strong resentment against those who assisted in stopping the slave trade. Well, the slave trade was now, in that quarter at least, nearly suppressed, and the argument no longer existed. During the last ten years, since 1863, we had suffered from loss of prestige, owing to the disastrous expedition under General Macarthy, and there was nothing to be wondered at when the Fantees refused

to help those whom they believed to be the weaker party. The great difficulty of all, however, was the recommendation of the Committee of 1865. Their policy was so undecided that the Governors along the Coast really did not know what to do, and nobody knew whether there existed any policy to be acted upon. It produced indecision and vacillation on our side, and indifference on the part of those whom we professed to protect. It was not intended on our part to occupy the Gold Coast permanently. Still, the Fantees were heavily taxed; but we had done very little in opening up the country by the making of roads, or giving them any kind of return. Not only that, but we had adopted a system which he could not better describe than as a mere dog-in-the-manger policy, for, while we said that we would not defend them against the Ashantees, we refused to allow them to set up any means of defence for themselves. The Ashantees themselves had been emboldened by our weakness, the indifference of our allies, and our evident anxiety to leave the Coast so soon as we could decently do so. In spite of all those difficulties, however, our trade had flourished, and something had been done in the way of civilization. But with such advantages as we now possessed, what might we not expect to accomplish? Our prestige was established, and we were free to occupy a position of perfect neutrality towards all parties. All we need do was to keep up a few troops on the Coast, and we had, thanks to Captain Glover, a very good force at our disposal in the Houssas, who had been well organized, and who had, moreover, this advantage, that, coming from a distance, they had no associations. By doing so, our trade would be largely increased. Everybody admitted that there was in Ashantee and the districts beyond a very considerable trade in gold dust, the result of superficial washings, because no determined attempt had hitherto been made there to get gold as in California or Australia. By our occupation, that would be properly worked, and by opening up the Volta, we should obtain the inland traffic. But if we were to secure all the benefits of the trade we must make full use of our control on the Coast. If we did not prevent the Ashantees from obtaining Sniders, we should soon find

*Mr. Hanbury*

that we had a more formidable enemy to contend with than we had in the late war. But one of the most important questions of all was what kind of government we should establish on the Coast. We were, in his opinion, bound to have a really good government, and if efficient men could not be procured to fill the office of Governor and other positions of responsibility at the present rate of pay, the salaries ought to be increased. There need be no difficulty in inducing good Governors to go out to those Settlements if we paid them, instead of a paltry £1,500 per annum, £5,000; and gave them, as we might easily do, a decent place to live in, and one in which some attention was given to the elementary principles of sanitary science. Such a man might retain office for several years, and so be able to form a better system of rule than could be carried out by those who, after a few months residence at Cape Coast Castle, returned home sick. During the last 17 years we had no fewer than 18 successive Governors on the Coast—a state of things obviously incompatible with any fixed or efficient system of government. No cumbrous machinery nor any elaborate Constitution was wanted for those regions. The one great object should be the maintenance of peace. We ought simply to act the part of policemen there, and let things take their natural course, giving the people an opportunity of learning the arts of peace, and educating them, so that the superior members of their race might administer side by side with us. We owed it, moreover, to the Dutch, who did not sell those settlements, but ceded their jurisdiction on the Gold Coast to us; we owed it also to legitimate trade, and likewise to the interests of our own subjects there, not to abandon our position. Further, we owed a duty to the Natives. We had demoralized and disunited the people, and had deprived the Chiefs of their authority, and until some elements of union and self-government were established on the Coast, it would be most unfair to leave it. But there was another consideration, and that was, that there were some customs which it was our bounden duty to interfere with, one of which was that of human sacrifices. Now, if we were to abandon the Coast, there was no doubt that these sacrifices would be renewed in all their vigour.

These sacrifices were largely due to our suppression of the slave trade, and therefore an additional responsibility was cast upon us to endeavour to put a stop to them. There were three courses open to us. The first was, that we might take the course which had been adopted since the year 1865; but he thought it would be much better to abandon the Coast altogether than to continue to pursue such a course. The other two courses were, either to abandon the Coast, or to make full use of the power which we had acquired. A great opportunity was now before us, and we should not be true to the English power which was spread throughout the whole world, if we retired from the Coast, simply because we could not see how to govern the people. The hon. Member concluded by moving his Resolution.

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is of opinion, that, in the interests of civilization and commerce, it would not now be desirable to withdraw from the administration of the affairs of the Gold Coast,"—(*Mr. Hanbury,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. J. HOLMS said, it must be plain to every hon. Member that the question of the Ashantee War was one which had caused the people of this country very considerable anxiety, and in proportion to that anxiety was the interest they now felt as to what our future policy would be with regard to the Gold Coast. Although he did not concur in the Motion of the hon. Gentleman who had addressed the House, he was glad that the subject in question had been so early, and so ably, brought before them by him as it had been. For himself, he would rather urge upon the Government to leave the Gold Coast as soon as practicable, and the entanglements of war could be got rid of; but, at the same time, no reasonable man would expect that it should be left all at once. He felt the question had been raised in rather an unfortunate manner, because it was of so grave a nature that, in his opinion, a division should be taken on it as a substantive Motion instead of on the Motion that the Speaker leave the

Chair. In the first place, it was a question as to our giving up a possession of the Crown; in the second place, it was a question whether the House would agree to, or dissent from, the opinion of a Select Committee, and further, the whole question of the late unfortunate Ashantee War was involved in the discussion of the subject. In dealing with a question so large as this, we must look at it from every point of view. First, we had to regard the honour and interests of the nation. We had then to look at what position our merchants and missionaries would be in if we withdrew from the Gold Coast; and we were also bound to look at our obligations towards the Fantees and other African tribes, and not to forget the position in which we were placed in respect to the King of Ashantee. At the outset, he wished emphatically to say he regarded this, as no party question, for all parties alike were interested in a rational and practical settlement of the difficulties which had arisen out of our connection with the Gold Coast—fortunately respecting this possession we had more information than about any other of our settlements abroad. To the Gold Coast the whole of his observations would be confined, and they would not include Sierra Leone or any other Settlements. On entering upon this subject two questions suggested themselves—first, for what purpose were we at the Gold Coast at all? and, secondly, how was it that, with all our experience of the past, and with the distinct recommendation of a Select Committee that we should reduce our responsibility on that Coast, with a view of ultimately departing from it altogether, we found ourselves engaged in prosecuting the greatest war we ever had on that Coast, for the purpose of greatly extending our territory and increasing our responsibility? In reference to the first question, that it might be answered clearly, he would divide our occupancy into three epochs—the first, from the time we became possessed of the territory in 1672, until 1807, during which epoch we were there for the purpose of obtaining a cheap supply of slaves for our Colonies and plantations. In 1807, when we abolished the slave trade, the position of affairs at the Gold Coast was this—that from Appolonia to Voger, a distance of 250 miles, were to be found

27 forts belonging to the various nations of Europe, who had fastened upon Africa like leeches, and were sucking her very life-blood, those forts being maintained for the purpose of offering facilities for obtaining slaves. From that period until 1862 might be called the philanthropic epoch, because we were there partly for the purposes of trade, but mainly with the object of putting down the slave trade, in which we were eminently successful. From 1862 until now, constituting the third epoch, we had been there solely for the purpose of having an outlet for our manufactures and merchandize. What had the value of that trade been? Had it been profitable in any sense? The statistics he would use were all based upon official Reports, vouched for by the most experienced officers of the Board of Trade, the Colonial Office, and by others whose position gave them access to the most accurate information. Taking the two years from 1805, before the abolition of slavery in 1807, he found the amount of exports from England was £2,811,000. In 1830, the British Government finding the government of the Gold Coast somewhat troublesome, as well as expensive, came to the conclusion that it would be better to withdraw from it altogether. The English merchants, there, however, took the responsibility upon themselves, upon being allowed £4,000 a year by the Government for doing so, and they appointed a Committee—three from Liverpool, three from Bristol, and three from London—sitting at the latter place, who ruled the Gold Coast, through Governor Maclean, whom they appointed. Governor Maclean, who had no army to back him, acted with great wisdom, and endeavoured to find customers wherever they might be found, and, consequently, the Ashantees found their way to the Coast, and the road from Coomassie was open and could be traversed in swinging hammocks in 60 hours. What was the trade done during this period of ten years? From 1831 to 1840 the amount of exports from this country to the Gold Coast was £2,274,000. Since then the territory had been ruled by a succession of Governors, and whereas Governor Maclean was there for 17 years, without any change, during the 20 years from 1854 to 1874 there were 26 different changes of Governors, and it was quite impossible for us to rule with such changes;



and from 1853 until 1862 our exports to the Gold Coast fell to only £1,154,000. Our exports during the following 10 years were somewhat different from the amount stated by the hon. Gentleman (Mr. Hanbury). He held in his hand a Return from the Colonial Office, which was of a most fallacious character. It was a Return showing that the trade from 1863 to 1872 amounted to £1,301,000. That did not represent the trade from this country with the Gold Coast, but it was the trade of the whole world with that Coast. The real amount of our exports to the Gold Coast during that period was £1,156,000, or altogether, for the 20 years, from 1853 to 1873, £2,310,000, and if that did not show a diminishing trade, he did not know what did. But what had the British taxpayer to pay during the same 20 years? Parliamentary Grants had amounted to £50,000, we had a military expenditure of £440,000, a war in 1863 had cost us £700,000, and the latest one £900,000, so that the taxpayers of this country had to pay a sum of £2,090,000 for sales of merchandize amounting to only £2,300,000. Surely, the loss of the lives of our brave soldiers must count for something; but if it were taken merely as a money-making concern, the best thing we could have done would have been to have asked the merchants not what their profits were, but what their sales were, and to have given the whole sum into their hands rather than to have adopted the course we had done. The hon. Member for Tamworth had said, that we should have no more wars with Ashantee; but, in his opinion, so far from having a peaceful prospect with Ashantee, we might look for the very reverse, and that at no distant date. He believed the King of Ashantee would arm himself with superior weapons within a moderate space of time, and assert his claims to certain places which we held, especially to Elmina, which he regarded as the key to Ashantee. It was a remarkable fact that whilst our trade had been such as he had described, that of the United States had shown a great increase, whilst they had incurred no charge whatever for the maintenance of these dependencies. In 1863, their exports to the Gold Coast were £76,000; in 1870 they had increased to £253,000, of which £80,000 was from the United States, and only £156,000

from this country. Last year the amount was £266,000, of which £177,000 belonged to this country. He now came to the important subject of increased expenditure on the Gold Coast. Whilst for 17 years before 1868 it averaged £10,000 a-year, in 1870-71 it was £32,000; in 1872, £42,000, and for the present year the estimate was £54,000. That money had been raised mainly by increased duties upon imports. In 1867 the duties on manufactured goods were 2 per cent, and in 1873 they were 10 per cent; in 1868 the duty on spirits was 6*d.*, and in 1873, 2*s.* 6*d.* per gallon; in 1868 the duty upon tobacco was 1*d.* per lb., and in 1873, 6*d.* per lb. The effect of these high duties was to drive the trade to the Volta on the one side, and Assinee on the other, and these duties had no small influence upon the King of Ashantee. Whilst we were doing all we could by high duties to keep goods out of this Settlement, he thought we also acted very unwisely in our treatment of those whom we ought to allow to come to the Coast; we aided the Fantee brokers to keep the Ashantees from the Coast, and we disregarded not only the latter, but also our own merchants, who had not received that support from the Government which they might justly have expected. Some eight years ago, when the Ashantee trade flourished and the Ashantees came to the Coast, the Fantee brokers charged for their board and lodging, and as commission, 3 per cent upon the goods purchased by the Ashantee merchants. In 1872, when they resumed their trade with the Coast, this 3 per cent was again demanded of the merchants, and refused. The Fantees then created a riot, and while this riot was in action, the acting Governor and the local magistrate recommended the mercantile community to submit a claim so made and so enforced to arbitration. The general opinion of the British merchants was that trade was more satisfactorily carried on with the Natives at places where our Government did not interfere. He would now ask the attention of the House to a very important consideration in dealing with the subject, and that was the European population of our Gold Coast Settlements at the last Census, which consisted of only 16 merchants or clerks, and three British missionaries. The British subjects there only numbered 19, and they were



under the control of 22 civil and military servants of the Crown. We were, no doubt, indebted to missionary labours throughout the length and breadth of the world, but we could not look with satisfaction at the state of mission work on the Gold Coast. Our three missionaries and 11 Native assistants and their stations were maintained mainly by our guns and bayonets, and the influence of the Dutch missionaries at Elmina extended only as far as the cannon of their forts reached. But there were 39 German missionaries in Liberia, and 25 American missionaries, and 64 stations, without any Government to look after them, and on the eastern side of our Settlements, on the Coast of Calabar, there were 11 British and six foreign missionaries where there was no Government protection. He was sure, that if it were necessary that our missionaries should be maintained by the country, the people of this country would be prepared to supply them with the means of carrying the Gospel of peace to the native population; but if their position was such that they were to be maintained by the aid of the guns of the British it was better not to have them there at all. What he (Mr. Holms) could not understand was why the Government of this country sought more territory on that Coast, when all the information they had had on the subject, when every recommendation made by Committees that considered and examined it, recommended them to prepare to withdraw from it altogether. Instead of doing so, however, they had greatly increased it. What had been our experience of the past? From 1807 to the present time they had nothing but a succession of wars there and a succession of Commissions to inquire into their cause. In 1811 they had a war on the Gold Coast, and in 1812 a Commission to inquire into it; in 1816 another war, and in 1817 a Mission to Coomassie, who made a Treaty with the King, which in 1819 was found to be useless, and in 1822 we had another war, and again in 1826, until they gave up the whole territory, in 1830: but it was again resumed in 1843, and from that date down to 1865 many complications and difficulties occurred. A Committee to consider the whole subject was appointed in 1865, consisting of the present Earl of Derby, the right

*Mr. J. Holms*

hon. Gentleman the President of the Board of Trade (Sir Charles Adderley), the right hon. Member for Montrose (Mr. Baxter), the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), and other eminent Members of the House, and they unanimously recommended that all extension of territory on that Coast was inexpedient, and especially recommended that the British agents there should keep on good terms with the native authorities, and that the Protectorate should only be partially encouraged. In fact, the right hon. Gentleman the Member for Birmingham (Mr. Bright), speaking last October to his constituents, told them that the time would come when Parliament, acting on the advice of that Committee, would consider it wise to withdraw absolutely from the African Coast. With respect to the course which this country had pursued, the Government did proceed in 1867 to carry into effect the recommendation of the Committee of 1865, but it was not done very wisely, and that was the first step towards the late war. We possessed a long territory, and the Dutch had their forts intertwined with ours, and as our customs duties and laws were different from those of the Dutch, great inconvenience undoubtedly arose. The proposal of the English Government was that we should assume the protection of all the territory to the east of the Sweet River, taking over all the Dutch forts, and that in like manner the Dutch should take over all our forts which lay to the west of the Sweet River. We did not, however, consult some hundreds of thousands of Natives on the subject. The Comendah people, always loyal to us, greatly disliked being transferred to the Dutch, and thus becoming, in fact, allies of the Ashantees who were their enemies. They resisted the transfer and the Dutch bombarded them. Their old allies, the Fantees, came to their aid and in retaliation blockaded Elmina, and the result was that in 1868 the King of Ashantee, at the request of the Elmina people, sent an army there in spite of the Dutch, who were said to be the rulers of the place, and in spite also of the Fantees, who were supposed to be under our rule. As the Ashantee army would not depart from Elmina, the Dutch Government, beginning to feel very uncomfortable, sought to find a customer, not for the

goodwill of the business, but for the stores and fixtures. In October, 1870, they offered them to us for £80,000; in the following month, finding we would not take them at that figure, they offered them for the reduced sum of £25,000. Shortly afterwards we had a Treaty by which the amount was limited to a sum not exceeding £24,000, and the negotiations ultimately ended in this that, adding 5 per cent to the charges for delay, we actually paid them the modest sum of £8,790 1s. 6½d. In accepting the cession of Elmina by the Dutch, whose rights were of a doubtful character, we entirely ignored the claims of the King of Ashantee and the King of Elmina. It might be said that the King had renounced his claims in a letter dated 19th August, 1871, and which had been obtained through Colonel Natglass, but this letter of renunciation would require some explanation as being quite contradictory both to the words and acts of both parties all through the previous negotiations and by the light of which it looked ludicrous. Hence the present difficulties. It was this, combined with the unfortunate disregard of the wishes of the native tribes which led to the recent war. At the Legislative Council held at Cape Coast in January, 1873, that was abundantly clear. A despatch which arrived at the Colonial Office on the 25th of January, 1871, gave a key to the whole difficulty. It was sent from Governor Kennedy to Lord Kimberley, and it answered two questions which the Colonial Office was very anxious to understand. One was, "What right the King of Ashantee had to Elmina?" and the second was, "Whether the native populations desired to come under our protection?" That despatch went to show that the King of Ashantee distinctly claimed the sovereignty of Elmina; that the Dutch Government had paid the King a monthly allowance on account of his claim to the Castle of Elmina; that our Governor Usher was clearly of opinion that the King of Ashantee had such rights as it was dangerous for us to disregard in relation to the port of Elmina; and that the King of Elmina and other native tribes, assembled in public meeting at the St. George's Hall at Elmina, had declared that while they were anxious for peace, they did not wish to be joined with the Fantees under the English flag, but wished to

remain under the Dutch flag. He now came to the question of the action taken by our Government, and he thought the great war which had cost us so many lives and so much treasure, and which had opened the question as to whether we should continue to maintain this distant possession of the Crown, was a subject that ought to be discussed with gravity and care. He was aware that the subject could not be completely discussed that evening, but he had endeavoured to place some facts before them which were, at any rate, beyond doubt, and he thought he had mentioned enough to show that the Government of the day might have paused before having to do with an extension of territory especially when without the goodwill of the people of the soil. The Government did not immediately answer the despatch, which was received on the 25th of January. It was not answered till the 28th of February, when the terms used were—

"It should be distinctly explained to the Elminas that Government had no intention to compel them to accept British protection."

Although they had just received a despatch which showed how earnestly these tribes had refused to come under the British flag, yet, three days before this language was used, a Treaty had been signed at the Hague which in effect settled the whole business. It appeared that during the whole of our transactions with the Dutch, a general of the Ashantees, Prince Atjempon, still remained in Elmina, that he was there when the transfer to us took place on the 6th of April, 1872; and that it was only after that transfer, that he was sent over the Prah. The King then sent forth the invading Army, and that was the beginning of the late war. It might be urged that the King desired the return of Prince Atjempon, but, looking at the facts, it did not appear that this really was the case. He was merely anxious for time to prepare for war with us and merely appeared to wish for his return. On the 17th May, 1869, Earl Granville, in writing to Governor Kennedy, stated—

"You cannot be unaware that the recent war with the Ashantees was a subject of the greatest regret to the Government, that the recurrence of such a war would be viewed as a great calamity, and that the employment in it of British troops would be wholly against the policy of this country,"

and on the 11th February, 1873, after the Ashantees had invaded the protected territory, Colonel Harley, in reply to some Natives seeking aid from him, stated that the maintenance of the fighting men by his Government was out of the question, and that the Fantees must understand that they were called upon to defend their own soil. By that, the policy was laid down as clearly as possible, that we were not to protect the tribes at all beyond our own forts. How was it, then, that we departed from that policy and advanced our troops not only beyond the forts, but across the Prah to Coomassie? He thought the House must look forward with great interest to the statement of the late Government as to what was the real cause of the war. He had shown how utterly the native tribes when under the Dutch detested the idea of coming under British rule, and that the Home Government had said they would not take these tribes under their protection unless they liked, and he would now give them from an official despatch the history of one day—that the first day—of the war. The troops were in motion at 5 A.M., and in a short time marched to the first village on their route. In 35 minutes they fired upon that village, and then they destroyed it. They then marched to the next village, which was two hours distant. That village was deserted, and they destroyed it. They then marched to the next village, which was also deserted, and which they likewise destroyed. And this was done by the troops of a country which sent forth more missionaries to spread the Gospel of peace than any other, and which distributed millions of tracts inculcating peace and goodwill among men, and which, while it was considering how to alleviate famine in one distant country, was, by means of fire and sword, carrying famine into another, and against a people whose only crime was that of refusing to come under the protection of a country which by the mouth of one of its chief Ministers had declared that they would not be forced to act against their will. There were great difficulties to be encountered by remaining on the Coast. The Government had now 810 miles of boundary to defend, instead of 370, and its frontier towards Ashantee had increased from 170 to 190

miles. Moreover, we could not in honour remain and become the protectors of any of the tribes he had spoken of without asking their sanction. A suggestion had been made to form a confederacy of native tribes for mutual defence against the Ashantees; but these tribes were not friendly among themselves; and even if we succeeded in forming an Army amongst them, we would have to instil into them a bravery which they did not possess. Our withdrawal from the Coast could scarcely be hindered by a consideration of obligation to the Fantees, who had involved us in several wars, and who had behaved in so cowardly a manner in the late expedition. As regarded our merchants, it would be worth our while to compensate those who retired from the Coast, if we withdrew our forces. The Government might induce the merchants of 1874 to do what the merchants of 1830 did, and hand over the management of the Gold Coast to them. As to the Ashantees, history had declared, what experience had recently confirmed, that they were the only tribe in Africa who were able to organize and maintain a Government. If we had been as zealous to make friends of the Ashantees as we had been successful in making enemies of them, we should long ago have arrived at a solution of the difficulty. Our Government should now change their policy, and, instead of driving them back into the interior, should encourage them to come to the Coast, and above all things endeavour to bring them into harmony with some of the border tribes, for already, indeed, some of the Fantees would willingly be associated with them. This policy had been recommended many years ago by the Rev. Sydney Smith, who, when reviewing the work of Mr. Bowditch, the African traveller, said that he sympathized with the victories of the King of Ashantee, and that if the King had been encouraged to come to the Coast, we should have been saved many of the difficulties which the great traveller recorded. In Mr. Smith's opinion, the best thing that we could do was to leave the Gold Coast altogether. Whilst endorsing this view no reasonable man would think of instantly withdrawing, but rather that we should prepare to do so as early as practicable. In conclusion, he begged to express his regret for having occupied

the time of the House for so long, but he felt that if he touched upon the question at all, he ought to do so thoroughly.

MR. ARTHUR MILLS, in moving the adjournment of the debate, said, he did so because there were many hon. Members who wished to speak on the subject.

Motion made, and Question proposed, "That the Debate be now adjourned."  
—(*Mr. Arthur Mills.*)

MR. DISRAELI: Sir, I think that it would be much for the public convenience that the right hon. Gentleman the Secretary of State for the Home Department should have an opportunity of bringing forward the Licensing Bill, in accordance with what has been arranged; therefore I shall not oppose the Motion for the Adjournment of the Debate, and the more especially so, because the subject now under discussion is one of great public interest, and is one upon which many hon. Members on both sides of the House wish to speak. Feeling it to be my duty to meet that wish, I am willing to agree that the debate shall be resumed on Monday next.

Motion agreed to.

Debate adjourned till Wednesday.

#### INTOXICATING LIQUORS BILL.

##### LEAVE.

Acts read—*Considered* in Committee.  
(In the Committee.)

MR. ASSHETON CROSS, in rising to move—"That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Laws relating to the sale and consumption of Intoxicating Liquors," said: I am quite aware of the great difficulty of dealing with the subject which I am now approaching on behalf of the Government, and if the Government do not meet in this Bill the wishes of the Committee, certainly it will not be for want of suggestions, for we have had them made to us by every section of the community. I am also aware of all those suggestions—some happy, and some otherwise—which were made to my right hon. Friend the Chancellor of the Exchequer. But I think that those which have been made to the Government through my-

self certainly exceed the number of those which were made to him, and if they exceed in number, I also think they exceed in differences of opinion. I do not think I have had, out of all the deputations that have waited upon me, two who were of the same opinion upon this subject; and certain of the members forming more than one of these deputations entirely disagreed amongst themselves. Therefore I am left with the pleasing reflection *quot homines, tot sententiæ*.

In approaching this subject, perhaps, I may at once state that I do not wish to weary the Committee with a great number of statistics or figures on this matter, for they have been so constantly brought before the House that I do not think I shall be justified in taking up much of your time in laying further statistics before you. There are, however, one or two which I must give, in order that the Committee may be aware, in the first place, of the magnitude of the subject, and, in the next place, to remove that false impression which has gone abroad upon one or two facts which have been based upon statistics. I must, however, remind the Committee, that there is hardly anything so delusive as figures, and you may draw almost any conclusion from them if you look at them from one point of view only. Before putting these figures before you at all, however, I may say that I do not intend to detain the Committee by dilating at any length upon the evil effect of drunkenness, nor upon the crime, misery, and wretchedness which undoubtedly spring from it. There is hardly a Judge who in charging a grand jury at Assizes has not something to say on the subject, and, certainly, no one more than myself feels the truth of a great many of the observations that are made on these occasions. And when we look at the facts which shortly I shall have to place before the Committee, in their broad outline, we must acknowledge that they certainly do present a rather appalling state of things; for I find that in the year 1873, in England alone, no fewer than 182,000 persons were proceeded against for drunkenness, and that the consumption of intoxicating liquors during that year amounted to the sum which I am just going to place before you—namely, there were consumed very nearly 63,500,000 bushels of malt, and nearly 40,000,000 gallons of British and Foreign spirits,



and 18,000,000 gallons of wine. Therefore, I think I may assume that the Committee will agree with me in this—that if the people of England and the United Kingdom in general did not spend quite so much money upon these intoxicating liquors, there would be more health, more wealth, and more happiness than at present exist in the country. [*Opposition Cheers.*] Well, I was quite prepared for that cheer coming from the other side of the House. I will go one step further, and say this—that the consumption of spirits—speaking of British and Foreign spirits alone—has undoubtedly increased rapidly in the last few years; for in 1866 I find the proportion of spirits drunk throughout the United Kingdom was 1.01 gallons per head of the population, and in 1873 it was as much as 1.21. Therefore, there is certainly a large increase in the last few years. But that being so, we must not run away with that bare fact uppermost in our minds. Hon. Members would do well in these cases, as in many others, not to draw their conclusions from a small number of years, and think that because there has been an increase in the consumption of spirits, it is likely to run on in the same proportion; and if they will look back for a longer period of years than 1866, they will find some crumbs of comfort, at all events, in this fact—namely, that in taking a period of 20 years, say 1853, and comparing it with 1873, the difference is not so great as the few years I have named would be likely in the first instance to lead them to infer. In the year 1853 I find the consumption of spirit, proof, amounted to as much as 30,163,933 gallons, but in the year 1869—although, as I need hardly say, the population of the United Kingdom had in the meantime largely increased, and although this increase had gone on gradually and there was no sudden jump from one period to another—the consumption was 30,114,594 gallons, which was considerably less in 1869 than in 1853. Indeed, it is not until you come to 1871, that you find the proportion of gallons per head, which is consumed by the people of the United Kingdom, really amounts to the same figure that it did in the year 1853. And another fact has to be remembered. You must consider not simply the increase of population between these two years, but also the number of public-

houses which existed in the year 1853 and in 1869. In 1853 the number was 87,625; in 1866, 93,593; and in 1873, it was 97,132. [An hon. MEMBER: Is that licensed victuallers?] Licensed victuallers and retailers of spirits. And therefore, although the amount of spirits consumed in 1853 and 1869 was exactly the same—indeed, rather smaller in 1869 than in 1853—the number of public-houses increased considerably during that period. The Committee, therefore, will see that they must not jump to the conclusion, too rapidly, that the consumption of spirits grows with the number of public-houses or licensed retailers of spirits. There is also some comfort which I think I can put before the Committee in connection with this subject of the quantity of spirits consumed, and that is the improved condition of those places where spirits are sold. And you may find that in many ways. You may consult the police reports, and the reports made by the magistrates in different parts of the country—both from the mayors in one case, and the police in the other—you may look at the number of convictions of the public-houses and publicans and beer-house keepers in the year 1853, and compare that with the latter period, and you may also look at the number of forfeitures which have taken place in the licences of those persons who have been licensed to sell intoxicating liquors, and in all these quarters, wherever you look, you do find a vast improvement in the character of the places where these liquors are sold. I find in 1869 there were as many public-houses in England as 61,893, whereas in 1873 there were 62,261, which is a considerable, though perhaps not a very large, increase. But when we come to the number of convictions, we find that in 1869 they were as many as 3,152, whereas in 1873, although the number of public-houses was considerably larger, the convictions were only 2,297. When you come to beer-houses, you will find the same striking difference still. In 1869, the number of beer-houses was 46,298, and in 1873 there were only 40,923, showing a large decrease. You will agree that not only is that so, but that it is a good thing it is the case. But when we come to the number of convictions, you will see they have decreased in a much larger proportion than the number of houses, for in 1869 the



number was 6,371, whereas in 1873 it was only 1,495. Then, again, if you look not only at the number of convictions, but at the number of licences forfeited, you will see a much larger discrepancy still; but as regards beer-houses, no doubt, that result is owing to the operation of recent legislation. In 1869 there were 127 public-house licences forfeited, and in 1873 that number had dwindled down to 13. Of the beer-houses there were in 1869 no fewer than 1,951 whose licences were forfeited, and in 1873 only 14. I think, therefore, we may judge that the conduct of these houses has been gradually, and I may say rapidly, improved, and I hope the conduct of these houses will be still more improved. I am quite sure it is for the interests of those who keep them that it should be improved; and, so far as we are concerned, we ought to do all that we can to enable them to improve the condition of their houses. However, the result of the figures I have placed before the Committee shows that the public-houses, and all houses where intoxicating liquors have been sold, have been fewer in number [than in 1869; that they have been much better conducted; that, in consequence, the streets have undoubtedly been much more quiet and orderly; that there have been much fewer publicans convicted; and that there have been still fewer licences forfeited for the houses being badly conducted. Nevertheless, although this is the case, we have still this appalling state of things, that although public-houses have been well conducted, and although the number of beer-houses has been reduced, and the public-houses slightly increased, yet still the consumption of beer and spirits has largely grown. The consumption of spirits in 1873, as compared with 1869, has grown from 30,114,594 gallons in the latter period to 39,132,207 gallons in the former; while if you take the quantity of beer which has been consumed during the same years, calculating it by the bushels of malt used, you will find in 1869 it was 52,000,000 bushels as against 63,500,000 in 1873; and, in the case of wine, I find it has grown from 14,500,000 to more than 18,000,000 of gallons. It is to be noted that the convictions for drunkenness also have very much increased during the same period. Now, the question is, how are we to account for this? Be-

cause, in the first instance, we find that while the public-houses were increasing in number the quantity of spirits consumed gradually decreased; and certainly it has happened, although I do not place much stress on the fact, that when the number of public-houses has decreased the quantity of spirits consumed has largely increased. Well, I account for it in several ways. I believe a great deal has arisen from the increased care and attention which the keepers of these houses themselves have given to their trade; a great deal of it has arisen from the activity and vigilance of the police; but I believe still more it has arisen, so far as the consumption of spirits is concerned, to the wealth of the lower classes of this country. And when I say "wealth," I mean the largely increased wages they have received, and not simply from their largely increased wages, but from the suddenness with which they have increased. I also believe it has grown not merely from the large amount of wages, but from the increased amount of leisure they have enjoyed. Taking the case of my own county—and I take it because in that district wages have greatly increased and have, too, suddenly increased, so that it may be fairly taken as a test—I find that in that county the proceedings taken for drunkenness in 1872 were 13,135, and that they increased in 1873 to 13,648. Comparing that with 1871 the increase is still larger, as in that year they were under 12,000. The same state of things has taken place in the metropolis, and the conclusion I arrive at from these facts is this—that the increase of wages, and the suddenness of that increase, and the want of other sources of enjoyment for those persons who found themselves in possession of comparative wealth without being educated how to best spend it for their own happiness and that of their fellow-creatures, have led them to go into the only pleasure with which they were acquainted, and they have spent it in drinking. There is one further reason which I hope the Committee will bear in mind, and it is, that although we may speak of drunkenness as the cause of crime and of many attendant evils, it has a primary cause, and it is one which the working people of my own county feel still more deeply—I mean the want of a happy home. When you are trying, then, to get at the bottom of this evil,

do not stop with the amount of drunkenness. If you want to go to the bottom of the evil, you must go further; you must improve the education of the people, and try and induce them to learn that there are other enjoyments than the mere sensual enjoyments of the moment, and you will do this if you make their homes happy and comfortable. Therefore, I do believe that the movement set on foot to provide the labouring classes with what they can well appreciate—improved dwellings, will do more to promote sobriety than any measures you may pass to prevent the sale of intoxicating liquors.

Still there is a large amount of misery and unhappiness that hon. Members wish to do the best they can to prevent, and these group themselves into three distinct schools of thought, differing in their view of the way in which this ought to take place. The first is that school of thought so ably represented in this House by the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) and his friends. They think they can improve the matter by putting a stop absolutely to the sale of intoxicating liquors. I need not say for myself that I consider that is an impossible plan. I do not believe that in these matters, more than any other, you can legislate beyond public opinion. If you do, public opinion will not bear you out, and the laws which you will pass will be broken, as they have been in other countries in which they have been tried, and therefore I hold that it is better not to pass any such law, as the frequent violation of it will be sure to create a disregard for law altogether. I am quite willing to give the hon. Baronet, and those who act with him, credit for the best possible intentions, and they do a great deal of good in a particular way. I can speak of a great number of the labouring classes in my own county who have taken up this matter very warmly, and who in their own particular society exercise a wholesome influence over their relations. That is the good they can do, and if they will only leave alone the good they cannot do, and follow out the good they can do, it will be a great benefit to the country. What they do is this—They endeavour to ripen public opinion on this matter; and what I want to see brought about is, that people should look upon being

drunk as a matter of disgrace, and when you can get them to so look upon it, you will influence the classes among which drunkenness now prevails, just as the higher classes were influenced some years ago. I have always said that the people of England have no right to come to this House for legislation for the mitigation of an evil, until they have done their best to cope with it without legislation; and in this case, the working men in their building societies and clubs have the remedy in their own hands if they choose to make use of it. They can, if they please, form themselves into building societies, build their own houses, and not allow a public-house to be among them. There are a great many places where I believe the working classes have taken this course, and, notably so, near the City of Canterbury. On the same plan, there is the Shaftesbury Park Estate, where it is possible they may get a number of persons to live together without having a public-house among them. That is, I consider, a legitimate way of influencing public opinion. The second school of thought is represented by those who take quite the opposite view—who say that all restrictions are improper, and that you ought to have free trade in intoxicating liquors, as you have free trade in other articles of consumption. There are a great many very thoughtful men who take that view of the case. Well, that has been tried in the town of Liverpool. The magistrates granted licences to all who asked for them, and the result was, that drunkenness increased to such an enormous degree that the inhabitants in large numbers petitioned the magistrates to make an alteration in the borough rules. They did so, and there was less drunkenness than before. Then we come to the plan which the House of Commons has always adopted, and which I am sure it will continue to pursue, and which is to regulate the monopoly of the trade. When we talk of a regulated monopoly, we must be all aware that it is easy to make the law, but it is not so easy to get it properly administered. Various plans have been tried. It has been referred to the Town Councils, it has been referred to the magistrates, and some of you wish to refer it to the ratepayers. The complaint is, that the Town Councils and the magistrates have administered

it in the sense of their own particular bias, and not as it was intended by Parliament that it should be administered; and the same would take place with a still stronger feeling, if it were to be referred to the ratepayers, which I hope it never will. Everyone would act according to the bent of his own mind, and in proportion as his opinion was warped by any bias, so he would impose restrictions on the sale of intoxicating liquors. You have therefore, when considering the Act of 1872, to see if it has been worked out fairly and honestly, as it was intended should be done. I do not intend to make any imputation upon the magistrates, to whom Parliament committed the administration of that Act. I do believe that they honestly meant to carry it out in its integrity; but they have, through the bias I have mentioned, been led to give a complexion to that Act which the judicial mind would not do in any other matter which might come before the bench.

Now I come to the particular point to which I wish to call the attention of the House. That is the liberty given to the magistrates, by the Act of 1872, to enlarge or limit the hours of closing. I have before me a Return made to the House on the Motion of the hon. Member for Stoke (Mr. Melly) on this subject, and it shows that although to a considerable extent the magistrates have left the hours fixed by the statute unaltered, we yet find that in 200 out of 890 licensing districts a change has taken place by the act of the magistrates; and, although I do not wonder at their being puzzled to decide upon the subject, yet I confess I do not know on what principle they have proceeded, for when we look to the list of the towns, we find that while in some large towns the hour for closing is 10 o'clock, in other and smaller towns it is 12 o'clock. I certainly cannot see why the circumstances of one town should differ so from the circumstances of another town, and I think that any hon. Member who looks through the Return will agree with me that although the magistrates have done their best to administer the Act fairly and justly, they have not arrived at the same conclusion; and when we come to the country districts we find a still greater divergence in the limitation of the hours. This is a considerable evil, for I find that while in one

village or one licensing district the public-houses have to be closed at one hour, they are in the adjoining village or licensing district closed at another, and the result is this—that it induces the inhabitants of one village or parish where the houses close early to go to another village or parish where they are not so well known, and drink as much, if not more, than they would have drunk if the public-houses in their own parish had been kept open. I think, therefore, that Parliament should take upon itself to regulate this monopoly. And here the Committee must remember that for a very long time there was no restriction in respect to hours at all; but Parliament has—and very wisely as I think—determined that such restrictions should be imposed, and that being the case, the House is bound to take upon itself the responsibility of fixing the hours. The first Proposition the Government has to propose, therefore, is that the hours at which public-houses shall be closed shall be fixed by statute, and not left to the discretion of the magistrates. That being so, the next question that arises is—What shall the hour be at which public-houses shall be closed? Well, that is a very difficult question, and I can honestly tell the Committee that that is a point on which all the deputations which came to me totally differed, and as this House is merely a representation of the persons who formed those deputations—[“No.”] Well, I will put it another way—I believed that all the persons who formed those deputations have Representatives in this House. Therefore, I cannot propose for a moment, that any hour which the Government propose will be entirely satisfactory to every Member of the Committee, any more than to every member of those deputations. But we have made every inquiry we can into this matter, and, among others, we have obtained the views of the publicans and beer-sellers, like everybody else. But, remember, this is a question which must not be determined in the interests of one body or of another; but we must fix the hours in the interests of the public, and not simply of the publicans. When we came to ask the trade what they had to suggest in this matter, their answer was very plain, very simple, and very intelligible, but I question much whether it was a very wise one. They said they

thought the best thing we could do would be to have uniform hours from one end of the country to the other—that is to say, whether the hours are fixed in the great City of London, or in the country towns, or in the smallest villages, they should be absolutely uniform. I confess myself that I cannot see much logic in that answer, because, although you do not want to fix the hours exactly according to the habits of the people—which you may almost turn any way after a time—yet the business of a great town is totally different from the business of a country place. In both, there are certain hours which the people cannot help following, and the hours which are necessary in the City of London are totally different from those which are observed by agricultural labourers in the country. We have therefore come to the conclusion, with which I hope the Committee will agree, that the hours should not be uniform, but should vary according to certain circumstances which I am now going to mention. First, let me say, when we come to the question of hours, that it is not the intention of the Government to alter either on Sundays or on week-days the hours at which beer-houses are kept open, beyond taking away the discretion of the magistrates. Publicans, however, stand on a different footing. They are under different obligations to the public, and they are established for a different purpose. Now, I go one step farther, and say we do not mean to make any alteration in the hours during which even public-houses are kept open on Sundays. We think the Sunday hours have been fairly followed, and no great complaints have been made to us concerning them. On Sundays, then, the hours will be left as they are. But when we come to the hours on week-days, we find a considerable difference of opinion. Let me take the case of London. In the case of London, the hour of closing at night, as the Committee is aware, is fixed at 12. Looking at that, it was found quite necessary that a distinction should be made for those persons who are in the habit of attending theatres, and therefore could not reach those houses in time to get their refreshments; and therefore power was given to the Commissioner of Police to grant what are called “exemption licences,” and he has granted under that

power about 54 such licences to different houses up and down the town. They are dotted up and down in the neighbourhood of the theatres. The Commissioner, acting under advice, has not felt himself justified in saying, “I shall open every house within a certain radius around a theatre,” but he has given those licences to as many houses as he thought necessary. The result has been that one or two, or three, or four houses in the neighbourhood of a theatre, as the case may be, have been allowed to keep open till 12.15, instead of 12, and then later for persons who have gone in, to consume what they have ordered before. That arrangement was made in order to accommodate persons going to a theatre. A more invidious power placed in the hands of any man, especially a Commissioner of Police, I cannot imagine. I must, however, speak of Colonel Henderson in terms of great praise. I believe he exercised the power very carefully with regard to the houses he selected for those particular licences. But no man—I do not care who he may be, could act on an Act of Parliament such as that and give satisfaction to everybody. The result has been that the keepers of all the houses which are closed at 12 are perfectly entitled to think that their customers have just as much right to go to their houses after 12 as to go to the exempted houses, and they believe they have a reasonable ground of complaint. Therefore, we have come to the conclusion that the wise course is to put a stop to all these exemptions in London, and to place all the public-houses in the metropolis exactly on the same footing. When we came to the matter of hours we found there was a considerable difference of opinion among the licensed victuallers of London on that point. The great majority of them had joined with the country members of the trade, and agreed to ask that the houses should be closed at 12 o'clock. Then came the question of the special exemptions, and when we considered the question it became clear that 12 would not do at all. We also found there was another and considerable body of licensed victuallers, a body numbering some 1,000, who stoutly maintained that 12 o'clock would not do; and when we asked what would be the hours that would satisfy the wants of the public, the answer we got from

*Mr. Assheton Cross*



them—and it put the hour at the latest—the hour that would satisfy everybody in the metropolis was 12.30. Now, that is the hour we have placed in the Bill for closing the public-houses in the metropolis. [Mr. MELLY: Are beer-houses to be allowed to be kept open until that hour?] No. I have already stated that we do not propose to make any change in the beer-houses as to the hours of closing. We will now go to the country. The country is in an entirely different position from the town, and we do not see that the country, either in the large towns or in the country itself, requires that hour. Indeed, it has not been asked for from any quarter, from one end of the country to the other. It is not population that should be the sole guide of the wants of a town and of an agricultural population. The guide should be not only the habits, but the nature of the occupations of the people, and the consideration whether these occupations require later hours or not. Large towns other than London should have later hours than villages. One Member of the Committee, if asked, would probably suggest one hour and another another, but the hour which I believe, from all the representations made to us, would really satisfy all the wants of the public, not simply in small places, but of people in the towns, taking as the definition of a town any place that has really some importance and authority, a town such as would be named in the Public-house Closing Act—a place, in fact, where there is a Corporation, an Improvement Commission, or a Local Government Board, so as to distinguish it from a mere aggregation of houses, and where the population is over 10,000—the hour we have stated in the Bill for closing in those places is 11.30. In the country, looking at the Returns obtained on the Motion of the hon. Member for Stoke, and considering that in these places the hours are practically lengthened from their not being included under all the restrictions that apply in the case of towns, and the fact that the magistrates have made no alteration, we have left the hour as it is stated in the old Act—namely, 11, so that the hours we suggest are these—in the metropolis, in the district over which the Metropolitan Board of Works have jurisdiction, enlarged by one or two parishes where the population is so great or so dense

that the arbitrary rule of a four or five miles radius could not be satisfactorily applied, the hour would be 12.30; in the large towns it would be 11.30; and in the country the hour would remain as at present, 11.

There is one other matter which flows out of this subject, and which has been much pressed upon us as far as London is concerned. The Committee will remember that, under a particular Act, passed some time ago, certain houses were left open, which go by the name of “night-houses;” and in London there are over 1,000 of these night-houses, which have a licence to keep open the whole night. They do not actually sell intoxicating liquors; but when the Public-house Closing Act was passed, it was found that these houses were really the resort of persons who went there simply because they were driven out of the public-house, and there congregated to do mischief. Therefore the Public-house Closing Act made this regulation—that all these houses shall be closed at 1 A.M. when the public-houses closed. And now we find from the police, that the night-houses which now exist are not resorted to in the least by people who want refreshments, but are simply frequented by persons who have been turned out of the public-houses, and who go to them the moment the public-houses are closed. The result I have from the police may be summed up in these words—that these refreshment-houses are simply the resort of prostitutes and their companions; that they carry on an illicit trade in spirits; that the persons who frequent them remain till the last moment; and then rush out in a boisterous and disorderly state into the streets, which they disturb for an additional hour. We propose, as the Public-house Closing Act suggested, that they should be closed at the same time as public-houses, and as we suggest that public-houses should close at 12.30, that these houses should be closed at the same time. We also propose to give a publican the right of keeping his house open for the full number of hours, if he chooses to do so, or of closing at an earlier hour on complying with certain conditions. There are some very large districts in Wales where that optional power will be useful, and where the public-houses might be closed at 10 o'clock instead of 11. As



this appears to result from the wishes of the inhabitants, we do not think we have a right to force the publican to keep his house open any longer than anybody wants him; but we think it better that the right to do this should be regulated by a fixed principle rather than be left to the discretion of a magistrate or magistrates. The Committee will also remember that in 1872 the Bill which was proposed gave the option to licensed victuallers to take out six-day licences instead of seven, and make a proportionate reduction for the days on which the house was closed. Following the example of the law in this respect, we propose—and competition is likely to prevent this being acted on, except where the population is favourable—that any publican who chooses may close one hour earlier than the regular hour, provided that when he applies for his licence, he declares his wish and desire, and has that inserted in his licence; and further, the gross amount of hours being about the same, that the same allowance shall be made for the hours during which the house shall be so closed as is made in the case of six-day licences. Of course, a man taking out such a licence will be subject to a penalty if he does not close at the hour agreed upon. I may mention that the experiment of those six-day licences seems to be working very satisfactorily. In the first year after the Act was passed, there were only 6,000 licences of this description applied for; they got on very slowly at first, but in the first six months of the second year, the number has risen to 9,000, and there is every probability that they will increase in numbers, and thus in a very beneficial manner regulate the trade according to the wants of the locality without external interference. I believe these early closing licences will be found in practice very beneficial to all parties.

There are other provisions in the Bill which I ask leave to introduce, which refer to matters which undoubtedly, in our opinion, do press very hardly upon persons connected with this trade, and the principle upon which we think it right to deal with them is the principle applied to persons connected with all other open and legitimate trades. Our object should be to get the best and most honourable houses we can; and though, no doubt, there has

been a considerable improvement since 1872, yet it cannot be denied that the very stringent regulations of that Act have a tendency to prevent persons from entering the trade, whose capital and personal character would render them fit and proper for the business in all respects. A great variety of suggestions have been made to us on this point, all of which have been carefully considered. One proposal on which much stress was laid was, that the houses should be classified, and licences granted accordingly, distinguishing large and commodious places from small ones, where men go at night and get drunk; but the Committee would see that it was utterly impossible for the Government to make any arbitrary rule as to either large or small houses, or to distinguish between well-conducted houses that might be frequented by the rich or the poor. We therefore came to the conclusion upon this point that everything must depend upon the personal character of the person to whom the licence is granted. I do not mean by that to say that any jealous or improper inquiries are to be made as to the antecedents of a person who applies for a licence—the present regulations seem quite sufficient; but simply to say that the continuance of the licence should depend upon the manner in which its conditions are observed. The only test of a house is the character of the man who keeps it, and it must be the wish, not merely of the public, but of the publicans, that the trade should be adopted by honest and well-conducted men. Indeed, many depositions—to their credit be it said—laid stress on that point. That brings me to another important and practical point. We do not think that a magistrate should be bound to impose a minimum penalty of 20s., no matter how little the defendant may have been to blame. In some cases a man has been extremely careful to give every possible order to conduct the house properly, but through the carelessness of some of his servants he incurs conviction. We propose to leave the fine for the first offence at the discretion of the magistrate; in case of another conviction we leave the law as it stands. Then there is the endorsement of licences, which the trade feel very deeply. Under the present Act, the magistrate has no option but to endorse any conviction of a pub-

lican upon his licence for an infraction of its conditions, and for fines ranging from £1 to £20. Three of such endorsements subject the holder to forfeiture of the licence, and it may lead to the loss of a large capital, and good business, under circumstances of great hardship, and for offences which it was impossible to prevent. The magistrate has, of course, a discretion as to the amount of fine, but he has none as to the endorsement of the licence, and so the case may occur of a licence being marked with three separate fines of £1 each, or £3 in one for trivial offences, that would involve the forfeiture of the licence, whereas in the case of two fines of £10 and £20 each for serious offences, no such forfeiture would follow. It is true that the magistrate may order the conviction not to be endorsed on the licence, but he thus steps out of the ordinary course of law. We propose therefore that the endorsement shall not be binding—that the magistrate may reduce the penalty; and in other things we leave the statute as it stands, the endorsement in any case being done by the special order of the magistrate. Some years ago an Act was passed by which it was provided that after a second conviction for felony, prisoners, after the expiration of their sentence, should be placed under police supervision for seven years, unless the Judge otherwise ordered. The result was that in 99 cases out of 100, persons found themselves placed under police supervision. The consequence of this was, that a very short time afterwards an Act was passed abolishing supervision, unless specially ordered by the Judge. That being very intelligible, we propose that in this case the same principle shall apply as we propose with respect to endorsements, with the exception that the record of conviction will always be kept in the petty sessional division, so that when the magistrate inflicts the sentence he will have it before him, and will form an opinion whether the conviction should be endorsed or not. We do not think there should be any special legislation affecting this trade if it can be avoided. Now, when the adulteration clauses were inserted in the Act of 1872 everybody expected great results from them, and the Government of that day were quite right in passing them, for the general Adulteration Act at that time in existence was almost unworkable; but the

Licensing Act received the Royal Assent on the very same day as a general Act respecting the adulteration of food and drinks. A sort of stigma was thus cast upon the publicans in subjecting them to special provisions unlike any other trade, and what has been the result? In the metropolitan district, as far as I can ascertain, there has been no prosecution, and the Reports of Inspectors of Police show that in the Northern district, where adulteration was most likely to occur, no conviction has been obtained. In one instance in Cumberland, and another in the North Riding, liquor was seized, and sent for analysis, but proved to be unadulterated. The adulteration clauses have thus been a dead letter, and now that there is a general Act on the subject, the improvement of which is about being considered by a Committee, to be moved for by my right hon. Friend the Member for North Hants (Mr. Sclater-Booth), we may fairly repeal those clauses. The legislation with respect to adulteration has in its operation given rise to a great amount of discontent and ill-feeling. The Committee are perhaps aware that since the reign of William IV. the police have had power, for the purpose of enforcing order, to enter the licensed premises; but in the Act of 1872—and clearly having reference to the object of putting down adulteration and the seizing of adulterated liquors—the police obtained power, in the expectation that such liquors would be sold, not in the usual place but in rooms ordinarily devoted to the family, to enter upon and search that portion of the premises—a power which has, as I have said, given rise to a great deal of ill-feeling. The words run thus—

“The constable may at all times enter on any licensed premises, and examine every room and part of such premises, and take an account of all intoxicating liquors found therein.”

That provision was adopted with a view, as the result has shown, that the police should have power to examine every room, and the power has certainly been arbitrarily executed. And therefore it is that we have endeavoured to wash out that colour—to remove the blot which has been put upon the old law; and for that purpose to give the constable power to enter the premises only for the purpose of enforcing order, unless it is absolutely necessary he should do so in

the execution of his duty—a fact, the proof of which will lie upon himself. That, I believe, will afford a great relief to the trade, while it will not stand in the way of order being thoroughly protected.

I have already said that all those premises ought to be subject to be licensed in the way I have mentioned. We are also of opinion that all premises which are licensed for the sale of drink should be subject to the same laws. I take the case of occasional licences. Where such are granted by the Justices, it has been ruled that the police have not the same power which they possess in the case of other licensed premises. Now, we do not see any distinction between the one and the other, and are of opinion that all alike should be subject to the supervision of the police. There is another matter in which not only the publicans, but the public have much reason to complain, and it has reference to fairs and races which are held up and down the country. The local publicans, who are well known, do not go to these places unless with the sanction of the magistrates; but, on the other hand, a vast number of people who have nothing whatever to do with the locality, and who are not known to the police or the magistrates, come down and set up booths, which for the most part are conducted in a disorderly manner. We think that those places ought to be subject to the rules relating to licensed premises, and that the persons setting up the booths should be compelled to go for licences to the local magistrates, and ought not to have any advantage over the licensed victuallers of the locality. Further, we are of opinion that if they obtain temporary licences they should be under the same regulation as the regular trade are subject to. This provision will, we think, tend to the promotion of quiet and order at all those fairs and races.

The Bill contains a great many more details, with which I shall not now trouble the Committee, except one which is certainly of considerable importance. A man now goes to a large expense, say £3,000 or £4,000, in building a public-house, and when it is finished he goes to a magistrate and says—"I have built a house at a great expense, which I mean to be a public-house. Will you grant me a licence?" But the magis-

trate says—"No; we have public-houses enough in this neighbourhood, and do not require any more." Now, that in our opinion is a very great hardship, and we propose that any person who chooses to build a public-house may go to a magistrate and say—"I have got or purchased this piece of land, and if you grant me a provisional order for a licence I will build a public-house according to the plans I now lay before you." We propose to give him the power, if he should think it right or necessary, and approves of the plans submitted to him, to grant this order, which would of course be confirmed at the proper time. That seems to us a fair proposition, obviating any risk of loss. In conclusion, I have only to say that in dealing with this subject, we have considered only two questions—first, to see that the just wants of the public were supplied; and next, to do justice to those engaged in the trade, and to induce the most respectable men to come into it by doing away with every unnecessary and unjust restriction. These are the sole objects we had in view in preparing the Bill. I feel obliged to the Committee for the patience with which they have listened to my statement; being, as I fear it is, of unwarrantable length; but before I sit down I may state that I am extremely sorry, from the shortness of time at my disposal, that I am unable to lay on the Table a Consolidated Bill on the entire subject. The number of statutes bearing on it are so innumerable, that it would be impossible for me to do so. In fact, very few persons have any idea of their number, and to consolidate the law as it now stands would take the whole of a Session; but when this matter is settled, it will be my anxious wish to bring in a Consolidated Act on the whole subject.

*Moved*, "That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Laws relating to the sale and consumption of Intoxicating Liquors."

MR. MELLY regretted that the Government had felt it necessary to introduce a measure to unsettle what had been passed with much agreement on both sides of the House. He had nothing to complain of in the very lucid statement made by his right hon. Friend. He extended the hours of the metropolis for public-houses to 12.30, leaving the beer-

*Mr. Ascheton Cross*

houses closed as at present, at midnight. In the provinces he extended the hours of closing for public-houses from 11 to 11.30 P.M., leaving the beer-houses to be closed at 11 o'clock in towns of over 10,000 inhabitants. The unanimous cry of the licensed victuallers and beer-sellers had been for uniformity of hours of closing and opening. The right hon. Gentleman ought, therefore, to have made 11 the uniform hour of closing. Nothing had been said about the time of opening—[Mr. Cross: I propose to leave that as it is.] If the Bill had fixed 6 A.M. to 11 P.M. for every district, he could not have complained, for the Return that he had moved for had shown that there were 890 provincial districts; in 13 of which the hours of closing were 12 or 11.30; in 75, 10 or 10.30; and in 802, 11 o'clock, as suggested by the Act of 1872. Five insignificant towns, with a population of 200,000, had extended the hours of closing; 13 small towns, with a population of 300,000, had shortened the hours; but 154 boroughs, with a population of 6,000,000, now close at 11. All that was to be disturbed. In all these boroughs there were to be two hours of closing. The public-houses were to close at 11.30, the beer-houses at 11. Thus the drunken customers of the beer-houses would cross the street at 11 to top up with gin at the spirit vault, and the police would have nothing to do from 11 to 11.30, but to watch their future captives crossing the street to make themselves still more disorderly. There would, he thought, have been no serious objection to fixing 12.30 as the hour for closing in the metropolis, but he had hoped to see a provision as to uniformity elsewhere. The Act of 1872 had been universally approved. He believed the public, the magistrates, the police, and even the trade itself, preferred the earlier hours. The Budget figures also showed that they had done no diminished trade. The three chief Inspectors of Police in the Northern, Midland, and Southern districts, had reported most strongly in favour of the working of the Act; 49 superintendents of county, and 117 chief superintendents of borough police had, in their reports to the Home Secretary himself, used these words—"The Act works most satisfactorily," "well," or "beneficially." One superintendent complained of the want of

uniformity in hours; but no officer of police made any other complaint. There would, however, now be diversity of hours in the lane of every county and the street of every village and town in England and Wales. There were 40,000 beer-houses and 67,000 spirit-houses to be closed at different hours, and so strongly did he feel as to the increased drinking to which this extension of spirit-houses must necessarily lead, that he should oppose the Bill. All experience had shown that the diversity of closing hours led to great disorder, and largely increased the labours of the police; and he was convinced that the Justices of the Peace and others charged with the maintenance of law and order, would object to his right hon. Friend's proposals. He regretted that the right hon. Gentleman had not thought proper to propose that grocers' shops where drink was sold in small quantities, to be consumed off the premises, should also be closed at 11. That, however, was not the time to deal with the minor concessions proposed to be made to the drinking interests. When the Bill came to be considered by the country, the universal verdict would be, that instead of the proposal of the Government, there should be absolute uniformity of hours for the whole trade in each district. He begged to give Notice that on the second reading, he should move the following Amendment—

"That, in the opinion of this House, no measure for the regulation of the sale of Intoxicating Liquors will be satisfactory which affords increased facilities for drinking, and which deals unequally and unfairly with a considerable branch of the liquor trade."

MR. RATHBONE said, he had listened to the speech of the right hon. Gentleman with great regret, because he thought the changes he proposed to effect in the present law would be most unfortunate. The licensed victuallers had had a monopoly in which the interests of the public were ignored, and the improvements which had been secured were worth retaining. He had no doubt that the endorsement provisions had a considerable effect in the improvement of the conduct of the houses to which reference had been made. He thought the alteration proposed in respect to those endorsements was an injurious one, and would result in strengthening the vast and gigantic monopoly of the liquor trade.



MR. PEASE looked upon the proposals of the right hon. Gentleman as a retrograde step in legislation, and would reserve to himself the right of opposing, on the second reading. Some portions of the scheme he had heard with sorrow, and he believed the country would read them to-morrow with alarm. He regretted that nothing was proposed calculated to bring houses which were doing much harm, more fully under the control of the magistrates than they were now. In case this Bill ever came to a second reading, he should move, in Committee, further restrictions with regard to grocers' licences, and to give the magistrates more discretion over those houses in which the drink had to be consumed off the premises. Altogether, the statement had produced a most unfavourable impression upon his mind, and he trusted that in several particulars the right hon. Gentleman might see it his duty, in the interest of the country, to re-consider his plan.

MR. GOLDNEY said, the hon. Member for Stoke (Mr. Melly) had made unfavourable comments upon the measure proposed, in which he could not join. He thought the Bill would do much to secure the uniformity required, and would meet the wants both of the publicans and the public. There had been need of some extension of the hours, and he did not think the boon would be abused. He knew it was a difficult subject, but he would reserve what he had to say until the second reading.

SIR HARCOURT JOHNSTONE thought the right hon. Gentleman had failed to produce a measure which would be satisfactory to anybody. Very few persons found fault with the hours of closing fixed by the Act of 1872, and that, he might say, applied to the persons engaged in the trade as well as the general community. The hours of closing at 12 o'clock in London and 11 in the country, with 10 for the smaller places, were late enough for all proper purposes. To extend these hours as the right hon. Gentleman proposed, instead of doing a public good, would, in his opinion, create a great mischief. Experience showed, that earlier hours under the Act of the late Government produced greater quiet. They had abundant evidence of the fact, and he must express his regret that, with such a

gratifying experience, the Government should be induced, from any considerations, to submit proposals for the lengthening of the hours. Had the Government really consulted the feelings of the country on the matter, they would not have been led into such a course. The fact, however, was that they had not consulted the wishes of the public so much as they had the wishes of an agitating section of the publicans.

SIR WILLIAM HARCOURT said, he would not attempt at that hour of the night to enter upon any discussion, or to criticize the details of the Government measure; but there was one point on which the right hon. Gentleman laid considerable stress—namely, the distinction—he might say the unfounded and unfair distinction—which was drawn between the houses of licensed victuallers and beer-houses. Beer-houses as a class were not less respectable than public-houses. No doubt there were discreditable beer-houses and discreditable licensed victuallers' houses, but to stamp the former as a class to be put in a different category from that of the licensed victuallers seemed to him most indefensible. The right hon. Gentleman had pointed out the injustice and unfairness of exempting from the existing Act licensed victuallers who carried on their businesses in the neighbourhood of the theatre, and he pointed out that circumstance as one of the reasons for the amending Bill he had introduced. So it was with regard to exceptional treatment for the higher class of hotels. Very fairly, the right hon. Gentleman objected to any distinction between classes of houses for the rich and the poor. He (Sir William Harcourt) could see no fairness in saying that the time of closing for the licensed victuallers should be fixed at one hour, while the beer-houses were to close at another. One of the practical consequences of that would be, that when people left the beer-houses, they would proceed direct to the licensed victuallers' and procure spirits there. It seemed to him to be a sort of class legislation which recognized the aristocracy of spirits as against the democracy of beer, and that was a view he felt by no means willing to accept. He had always protested against the unfairness of the treatment to which beer-houses had been subjected, more especially as regarded their valuation. This



was a matter on which he should certainly challenge the judgment of the House.

MR. J. G. TALBOT said, there was no harm whatever in drawing a distinction which had some justification. It should be remembered that licensed victuallers' houses were established in a great many instances for the purpose of eating as well as drinking, while beer-houses, as the name implied, were intended for drinking beer only, and notwithstanding the Utopian view advanced by the right hon. and learned Gentleman the Member for the City of Oxford (Sir William Harcourt), every person who resided in the country knew full well that frequenters of beer-houses were, speaking generally, not the most desirable section of the community. He regretted the hon. Member for South Durham (Mr. Pease), whose opinions were entitled to respect and consideration, thought the country would view the measure with alarm. He (Mr. Talbot) could not but think that on the whole, it would be taken, as it deserved, as a moderate measure. There ought, in his opinion, to be a further classification in population. There ought to be some distinction between places of 2,000 and towns of 10,000. Many persons did not want a late hour. Publicans were in the country often engaged in trade or work, and had to rise early, and one of them had told him (Mr. Talbot) that early closing was the greatest boon he ever enjoyed. The time of closing for small places with a population under 2,000 ought to be 10 o'clock instead of 11 o'clock. The hours of closing on Sundays, as he understood the Bill, were to remain the same as they stood under the present Act. If he should find it necessary when the Bill went into Committee he should move Amendments in the direction he had indicated. Before he sat down, he should like to know if it was intended to alter the present hour for closing on Saturday nights.

MR. ASSHETON CROSS: No. The whole of the houses in London will be closed at 12 o'clock at night on Saturdays.

SIR WILFRID LAWSON: Mr. Raikes—The right hon. Gentleman (Mr. Cross) has not met with much approbation for the Bill which he has just introduced. Nobody has, so far, said much in its favour, except the hon. Member for Chippenham (Mr. Goldney). But I

hardly know whether I ought to join in the general chorus of dissatisfaction, because I am convinced that there has never been a speech delivered in this House or elsewhere which will do more to promote the cause with which I am especially associated, for it will go forth to the country, and open up their eyes to what is intended. We have seen a strange thing to-night. In the early part of the evening an hon. Member (Mr. Hanbury) made a speech touching Africa, and over and over again he denounced the sale of spirits to the Natives of that country. It seems horrible thus to ruin Black men; but now, down comes the Home Secretary and proposes to extend that very trade among the White men of his own country. Sir, I have been watching the course of the present Administration since its formation, and I had begun to wonder in what respects it was any worse than the former Administration. I began to think that I should be one of its supporters. But to-night a mystery has been revealed to me. I understand, at last, the real meaning of the "Conservative reaction." It means half an hour more drinking at night. But how wonderfully the right hon. Gentleman has dealt with this whole question. The cry of the trade has been, for months past, for uniformity of hours in respect to houses, if not of districts. But what does the Bill do? It makes the hours, so to speak, more un-uniform than ever. The right hon. Gentleman does not dare to lengthen the hours for beer-shops, and what is the result? Why, in Lancashire—his own county—there will be 7,000 beer-shops closing at 11 o'clock, or earlier, and 8,000 public-houses keeping open, most of them, until half-past 11. So far from promoting uniformity, the Bill will establish six—[An hon. MEMBER: Seven]—yes, no less than seven varieties in the period during which drink may be sold in various places. So much for the uniformity notion; and how strangely it is proposed to be met by the process of Parliament fixing a great variety of hours for different regions, and, in addition to that, different hours for different classes of houses on opposite sides of the streets, or even next door to each other. That is the way of removing the "discretion of magistrates" as to the hours; and the right hon. Gentleman proceeds to give the opportunity of increasing variety by

allowing the publican to fix his own hour shorter, with an allowance if he exercise it so wisely as to produce a want of uniformity. It passes all comprehension. As to adulteration, I am not much disturbed by the right hon. Gentleman's intentions in that direction. I always knew that the cry of adulteration was a red herring drawn across the trail. You cannot make the stuff much more mischievous than it is itself. As to heavy penalties for drunkenness, I am no great advocate for them. I am more anxious to punish the drunkard-maker than the drunkard. The hours of sale are the real points. By lengthening the time during which drink is sold you simply increase the temptations to drinking. It is said that a good man struggling with difficulties is a spectacle for the gods. For my part, I viewed with pain the spectacle of a good Member of Parliament, like my right hon. Friend, struggling under the weight of the worst cause which ever anyone undertook. I have always given my right hon. Friend credit for prudence, but a more extraordinary speech from a Home Secretary has never been presented to the House than that which has been made by the right hon. Gentleman, after the reports of the three Inspectors of police, all telling him how admirably the late Act has worked—an Act which he now seeks to repeal. The right hon. Gentleman said in his speech that he proposed to legislate in the interests of the public; but he has proposed legislation entirely in the interest of the publican; he also talked about improving the people by leading them away from sensual enjoyments, but he has proposed to do this by opening public-houses half an hour longer in the evening.

MR. CHILDERS said, that considering the evils which the right hon. Gentleman described as attending want of uniformity in closing public-houses, he failed to see how he had persuaded himself to propose no less than six or seven different hours, all of which might in some places be in force within a very short distance. But he did not rise to criticize the proposals of the Government, but to ask the right hon. Gentleman to give as long a time as he could between the introduction of the Bill and its second reading, so that its provisions might well be considered by the magistrates and all who took an interest in the question

*Sir Wilfrid Lawson*

throughout the country. There were strong opinions upon this question, which there should be ample time to apply to the particular proposals now made, and he hoped that the right hon. Gentleman would give at least three weeks or a month before the second reading.

MR. FOTHERGILL said, that one consideration seemed to have been lost sight of by every speaker, and that was justice to the publican. A stigma had been attached to the vocation, and the result was, that the best men who would otherwise be got in London did not enter on it. Looking, however, at the temptations to which they were exposed, it was, he thought, remarkable that they so seldom went wrong. He considered that the measure propounded by the right hon. Gentleman accorded with his practical good sense, and that if he were able to carry it out, its effect would be to introduce the best class of men into the trade. He, however, regretted that a difference was made in the hours for closing beer-shops and public-houses, and he hoped the right hon. Gentleman might be induced to modify that part of his Bill, for as it stood, it was immeasurably absurd.

MR. LOCKE said, the hon. Member for Stoke (Mr. Melly) had complained that there should be different hours of closing in different places, but common sense dictated that such should be the case. It was perfectly absurd to say that in the metropolis, with between 3,000,000 and 4,000,000 inhabitants, the hours of closing should be precisely the same as throughout the whole country. When the matter came before the Committee, it could be decided what hours would be applicable to towns with given populations. There was one thing he rather regretted, and that was that the hour of 1 was not fixed for the time of closing in London instead of half-past 12. He was greatly pleased to find that his hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) had nothing particular to complain of, excepting that the publicans set their backs against everybody. They knew the hon. Gentleman was a kind-hearted person; and although he would not allow licensed victuallers to retail wines and spirits, yet he (Mr. Locke) had been told that he was hospitable to his friends to a large extent. However, from what his

hon. Friend had said that night, he could clearly see that he was coming round, and he was exceedingly pleased to find him in that happy condition.

MR. STORER hoped some conclusion would be arrived at so as to settle the *bona fide* traveller question. Persons arrived at small villages in trains and on bicycles, and in all manner of ways, and the publicans were obliged to open their houses at all hours of the day, not being able to distinguish the travellers from other people.

MR. D. DAVIES thought 10 o'clock in the country would be late enough for public-houses to keep open, and urged that if they were kept open later the working classes got so much less sleep, and were not so well able to get to their work in the morning. He thought the extension of hours in London was desirable, and had nothing to say in objection to the proposal; but understanding the country places in Wales, and sympathizing with the working men, he objected to lengthen the hours of the public-houses and beer-shops.

MR. C. H. WILSON said, that the seaport which he represented (Hull) would be very injuriously affected by the proposals of the Government. They had fixed hours earlier than those named by the right hon. Gentleman. Both public-houses and beer-shops closed at half-past 10; and if he understood the proposal the uniformity would be destroyed, and public-houses and beer-shops would both be lengthened in their hours and yet be different. That he regretted very much, as the present hours gave general satisfaction. It was also the case with the port of Liverpool he understood. He hoped the proposals would not be carried as submitted.

MR. WHEELHOUSE hoped that the Bill would be printed immediately, and that it might be circulated throughout the country, so that it might be discussed and public opinion taken upon it. He also wished to call attention to the fact that in several large towns there were working men's clubs of one kind or another which met at public-houses to transact their business, and that as they could not assemble until late in the evening they ought to have time to go through it satisfactorily. He also thought that some provision should be made for the supply of refreshments to

the men and women working on the night shifts.

CAPTAIN NOLAN asked if the man who took out a six-day licence, and also took out an early-closing licence, would have two-sevenths of the amount remitted to him, as in either case he would have a remission of one-seventh?

MR. ASSHETON CROSS: I am rejoiced to find that although there seems to be considerable difference of opinion upon some points of the Bill, its main principle, which is that Parliament should fix the hour, meets with general approbation. I never expected there would be unanimity of opinion in respect to the hours. With respect to the double remission, one-seventh on the six-day licence and one-seventh on the early-closing licence, it is a matter for the Chancellor of the Exchequer to say whether a publican could take out a licence for the double character of six days and of early closing, and thereby obtain the double remission. I have now, I think, touched upon every part of importance in reference to the Bill. With respect to its second reading, the Bill will be delivered to hon. Members in a few days, and we will put down the second reading for next week. ["Oh, oh!"] Nominally then, to-night I will put down the second reading of the Bill for Thursday week, but I will consult my Colleagues, and give the House early information on the subject.

MR. W. E. FORSTER trusted the right hon. Gentleman would not press on the second reading so early. There were many towns now closing at 11 that would not like to close at half-past 11, and which should have an opportunity of considering the Bill.

MR. ASSHETON CROSS observed that he had no desire to hurry the Bill on. He wished the House to fix the hours on a full consideration of the matter.

*Motion agreed to.*

*Resolution agreed to and reported:—*Bill ordered to be brought in by Mr. RAIKES, Mr. Secretary CROSS, Sir HENRY SELWIN-IBBETSON, and Mr. CHANCELLOR of the EXCHEQUER.

*Bill presented, and read the first time. [Bill 83.]*

#### MUNICIPAL ELECTIONS BILL.

On Motion of Mr. GOURLEY, Bill to amend the Law regulating Municipal Elections, *ordered to be brought in by Mr. GOURLEY, Mr. WHITWELL, Sir HENRY HAVELOCK, and Mr. RICHARDSON.*

*Bill presented, and read the first time. [Bill 84.]*

OFFENCES AGAINST THE PERSON  
BILL.—[BILL 13.]

(*Mr. Charley, Mr. Whitwell, Mr. Edward Davenport.*)

Order for Committee read, and *discharged*.

Bill committed to a Select Committee.

And, on April 29, Committee *nominated* as follows:—Mr. CHARLEY, Mr. COLE, Mr. GREGORY, Mr. ALFRED MARTEN, Sir CHARLES MILLS, Mr. MUNDELLA, Mr. STANSFELD, Mr. WATNEY, Mr. WHEELHOUSE, Mr. WHITWELL, and Mr. ATTORNEY GENERAL:—Five to be the quorum.

House adjourned at half  
after One o'clock.

HOUSE OF LORDS,

*Tuesday, 28th April, 1874.*

MINUTES.]—*Sat First in Parliament*—The Lord Rayleigh, after the death of his father.

SELECT COMMITTEE—Church Patronage, Earl Stanhope *added*.

PUBLIC BILLS—*First Reading*—Colonial Clergy\* (43); Marriages Legalization (St. John the Evangelist's Chapel in the Parish of Shusstock)\* (45); Hertford College, Oxford\* (46). Committee—*Report*—Gas Orders Confirmation\* (25).

*Withdrawn*—Magdalen Hall Property\* (3).

ASHANTEE WAR—GRANT TO THE  
FORCES.—QUESTION.

THE EARL OF LAUDERDALE asked, If it is the intention of Her Majesty's Ministers to recommend that a grant of some kind be given to the Forces employed on the Gold Coast against the Ashantees? Their Lordships were aware that Sir Garnet Wolseley had been voted a grant of £25,000, with honours, and honours and rewards of various kinds had been given to the Officers; but he did not know that anything was to be given to the Men but medals. He had heard they were to have medals. He believed, however, it was not unusual that a grant of money should be given to men engaged on a service like the Ashantee Expedition. This was not an ordinary war. True, the men were on extra pay—they had climate pay, field allowances, and other additional remuneration; but those extras were only allowed as payments by the day, and the number of days the war lasted was but

few. The men would have been better off if they had been paid by the job—for this was an important job well executed. If he was not mistaken, the men engaged in the Chinese War and the Abyssinian Expedition were on India batta, which pay made a great difference in the soldier's favour. It must be remembered that, in the Ashantee Expedition, the soldiers not only fought, but they volunteered to carry stores and ammunition—a thing not in the ordinary course of duty. He did not mean to say that troops ought not to do anything they were required to do; but there ought to be a recognition of extra service cheerfully performed. We had got a considerable amount of gold out of King Coffee, and a promise of more, and he thought that, in equity, a portion of this at least belonged to the troops.

THE DUKE OF RICHMOND: My Lords, I do not think it necessary for me on this occasion to bear fresh testimony to the value of the services rendered by the troops engaged in the Ashantee Expedition. Both Houses of Parliament have already expressed themselves on the subject in a manner that can leave no doubt as to what those views are, I will not, therefore, follow the noble Earl in the eulogy passed by him upon the officers and men engaged. The question of prize money is one of a very difficult character to deal with, and great care and prudence are required to avoid establishing an unwise or dangerous precedent in connection with it. I have, however, to inform the noble Earl that the conclusion which Her Majesty's Government have come to in the matter is this—that as between Her Majesty and the King of Ashantee the value of the property that was handed to Sir Garnet Wolseley before the Treaty, is to be allowed as part payment of the indemnity which was guaranteed by the Treaty afterwards signed; but as between Her Majesty and the troops, in consideration of the very peculiar circumstances under which the money was extracted from the King, and of the fact that it was mainly owing to the pressure of the troops that it was obtained, it is intended, with the consent of the other House of Parliament, that that money shall be considered as prize.

THE EARL OF CARNARVON said, he wished to supplement the statement



of his noble Friend by a few words having reference to one portion of the forces. Their Lordships would recollect that not only was there an expedition acting under the direct command of Sir Garnet Wolseley, composed of regular troops, but there was also a colonial expedition, acting under Captain Glover, on Sir Garnet's flank to the eastward. He could only say with respect to the commander and officers of the colonial expedition that their hardships and trials were not less than those of the officers in the other expedition, and their courage, patience, and perseverance were not less. All of them sustained a considerable loss of property and health, and all of them were exposed to the most grievous of all trials to which officers could be exposed—their troops were untrustworthy, and liable at any moment to show cowardice and desert. That was the position in which the volunteer officers were placed, and they deserved the highest thanks. It was certain that, even under these conditions, Captain Glover's movements had contributed in no slight degree to the ultimate success of the campaign. He could not say how far those gentlemen would come within the privileged circle his noble Friend (the Duke of Richmond) spoke of. He could not say whether they were entitled to share in the prize—their case would be judged by the ordinary rules of the service—but he was afraid there was no precedent for granting them anything out of the Imperial funds; but he thought it would not be regarded as unreasonable that the colony to which they had rendered such service should be called on for a moderate allowance—he would not say by way of compensation for the dangers to which they had been exposed, but by way of compensation for losses that they had personally sustained. Her Majesty had been pleased to signify her gracious approval of the services of those officers; and as this was a convenient time, he might state the different honours which Her Majesty would confer upon them. Captain Glover would receive the Grand Cross of the Order of St. Michael and St. George, which was the highest decoration of the colonial Order. Mr. Goldsworthy, the second in command; Captain Sartorius, who had made a ride which was now historical; Dr. Rowe, who performed services not very congenial to

the medical profession; Lieutenant Barnard, and Mr. Blissett would receive the Companionship of the Order. In addition, there were honours for other officers who served on the Coast prior to Sir Garnet Wolseley's landing. Colonel Festing, C.B., had already received a Knight Companionship of the Order; and Colonel Harley, C.B., Captain Fremantle, R.N., and Major Helden would receive Companionships. All these gallant officers had worthily obtained their honours, and he hoped they might live long to enjoy them.

THE EARL OF KIMBERLEY said, he was glad to hear of these honours, and that Her Majesty's Government proposed that a portion of the gold obtained should be given as prize-money. He should further be glad if his noble Friend the Secretary for the Colonies should see his way to obtain a grant out of the funds of the colony to Captain Glover and the officers who had volunteered to serve on his expedition. He thought, however, that his noble Friend the Colonial Secretary was scarcely just to Captain Glover's forces when he spoke of them as utterly untrustworthy. Such a description applied with truth to the Fantees; but the Houssas were a very valuable body of troops. He was the more anxious that no misapprehension should exist on the point, because, without giving any opinion as to what measures might be adopted in the future, this was the native body on which probably we should have to rely. He hoped their Lordships would agree with him that it was most desirable there should be a full recognition of the services of the Houssas, and that, as regarded Captain Glover's expedition, they should be excepted from the just censure which the noble Earl had passed on the cowardly Natives who had deserted the gallant officers. With respect to Colonel Harley, it ought to be remembered that he had been placed in a most exceptional and trying position. One could scarcely conceive a graver responsibility than that which devolved upon him during the terrible sickness from which hardly anyone escaped. Whatever opinions might be entertained as to the causes of the war, everyone would agree that Colonel Harley had performed his duties most gallantly, and that he was entitled to some recognition of his services.



**ELEMENTARY EDUCATION ACT—THE VOLUNTARY SYSTEM.—QUESTION.**

VISCOUNT SIDMOUTH asked Her Majesty's Government, Whether they will take into consideration the existing regulations and, if necessary, the Elementary Education Act, with a view to facilitate the return to a voluntary system in rural districts which have tried the School Board system and found it to fail, and to modify the requirements as regards school accommodation in districts where it can be shown that the population has diminished since the last Census and still tends to decrease?

THE DUKE OF RICHMOND said, with regard to the first part of the Question, Her Majesty's Government were not in a position, as at present advised, to recommend an alteration of the Elementary Education Act in the manner pointed out by the noble Viscount. When a School Board was appointed it became a Corporation, and there would therefore be some difficulty in dissolving it. With regard to the second part of the Question, he had found that with respect to school accommodation, where it had been shown that the population had diminished since the last Census, and when representations to that effect were made to the Government, the practice of the Government from time to time had been to modify the requirements they had thought it necessary to exact, so as to meet the altered circumstances of the case.

**OWNERS OF LANDS, &c.—ENGLAND—THE RETURNS.—QUESTION.**

VISCOUNT HALIFAX asked the Lord President, When the Return of the owners of land in England, already made with respect to Scotland, was likely to be presented?

THE DUKE OF RICHMOND said, he must give every praise to the energy shown in the preparation of the Return of owners of land in Scotland. Every effort was being made to make the Returns complete as regarded England within a short period. He was not at present able to state when it would be completed; but in justice to the officers of the Department with whom the preparation of the Return rested, he ought to say that the number of unions in this country was larger than in Scotland,

upwards of 15,000 parishes having to be dealt with. Some of the valuation lists sent in were so incorrect that it had been found necessary to send upwards of 5,000 back for revision, and he regretted to say that of that number about 1,000 had not been returned to the Department. If he mistook not, these Returns were paid for, but there was no compulsion in the matter; and therefore it might be necessary to make a Motion in that House on the subject, in order to make those who did not complete the Returns subject to the pains and penalties attending those persons who did not obey the Orders of that House. He might add that this Return was by far the most troublesome the Department had been called upon to prepare.

**COLONIAL CLERGY BILL [H.L.]**

A Bill respecting Colonial and other Clergy—Was presented by The Lord BLACHFORD; read 1<sup>a</sup>. (No. 43.)

**MARRIAGES LEGALIZATION (ST. JOHN THE EVANGELIST'S CHAPEL IN THE PARISH OF SHUSTOCK) BILL [H.L.]**

A Bill to render valid Marriages heretofore solemnized in the Chapel of Ease called St. John the Evangelist at Bentley in the parish of Shustock in the county of Warwick—Was presented by The Bishop of LONDON; read 1<sup>a</sup>. (No. 45.)

**HERTFORD COLLEGE, OXFORD, BILL [H.L.]**

A Bill for dissolving Magdalen Hall in the University of Oxford, and for incorporating the Principal, Fellows, and Scholars of Hertford College; and for vesting in such College the lands and other property now held in trust for the benefit of Magdalen Hall—Was presented by The Marquess of SALISBURY; read 1<sup>a</sup>. (No. 46.)

House adjourned at Six o'clock,  
to Thursday next, half-past  
Ten o'clock.

**HOUSE OF COMMONS,**

*Thursday, 28th April, 1874.*

MINUTES.] — SELECT COMMITTEE — Dean Forest, nominated.

WAYS AND MEANS—considered in Committee—CUSTOMS.

PUBLIC BILLS — Second Reading — Referred to Select Committee — Building Societies [55]; Parliamentary Elections (Returning Officers) [68].

Committee—Referred to Select Committee—Municipal Privileges (Ireland) [33].

Committee — Report — Game Birds (Ireland) [37].

Third Reading—Betting\* [78], and passed.

## NAVY—H.M.S. "DEVASTATION."

## QUESTION.

MR. SAMUELSON asked the First Lord of the Admiralty, Whether the Government have received any report or other information from Mr. Froude on the capabilities of the "Devastation" for ocean service, and whether he is prepared to communicate such information to the House?

MR. HUNT: Mr. Froude has been on board the *Devastation* during her trials, and has sent to the Admiralty from time to time the result of his observation of the performances of the ship. His communications on the subject are not at present in a sufficiently connected shape to lay upon the Table of the House.

## SUPPLY—SCIENCE AND ART DEPARTMENT.—QUESTION.

MR. SAMUELSON asked the Vice President of the Council, Whether, before a Vote is taken for Education, Science, and Art, he will state to the House in what manner the vacancy in the Science and Art Department created by the resignation of Mr. H. Cole is to be supplied; and, whether any re-organization of that Department is in contemplation?

VISCOUNT SANDON: The arrangements for the re-organization of the Science and Art Department, consequent upon the resignation of Mr. Cole, are at this moment the subject of communication between the Education Department and the Treasury. We have good reason to hope that they will very shortly be completed. I am anxious, if possible, to explain them to the House when the Education Estimates are under discussion; but I fear I cannot pledge myself to do so.

## PROTECTION AGAINST FIRES—LEGISLATION.—QUESTION.

MR. M'LAGAN asked the Secretary of State for the Home Department, Whether he intends to introduce this Session any measure for ascertaining the causes and preventing the frequency of Fires, in terms of the Report of the Select Committee appointed to inquire into the existing legislative provisions for the protection of Life and Property against Fires in the United Kingdom?

MR. ASSHETON CROSS, in reply, said, it was not the intention of the Government to introduce such a measure this Session. If any officers were appointed to ascertain the causes and prevent the frequency of Fires, they must necessarily be paid out of the rates, and it was not the intention of Her Majesty's Government to propose an addition to the rates for that purpose. The whole question was so much mixed up with the appointment of a Public Prosecutor that until the Judicature Commission had reported on that point, this, and other similar questions, could not be considered by the Government.

## PARLIAMENT—PRIVILEGE—MOTIONS FOR NEW WRITS.

## QUESTION.

MR. ANDERSON: I wish, Sir, to ask a Question on a point of Order. In the case of an Election Petition where the Judge has decided the election void on account of a very considerable amount of bribery, is it quite in Order to move for a writ for a new election without giving the House sufficient time to consider the Report, and would it not be more in Order to put a Notice on the Paper of the intention to move for such a writ?

MR. SPEAKER: There is nothing opposed to Order in such a proceeding. It was, however, formerly the practice to pass a Sessional Resolution to the effect that, when a seat had been rendered vacant by the Report of an Election Committee on the ground of bribery, a new writ could not be moved for without Notice being given in the Votes.

## CONSULAR JURISDICTION IN EGYPT QUESTION.

In reply to Mr. BAILLIE COCHRANE, MR. BOURKE said, the Papers relative to Consular jurisdiction in Egypt, more especially relative to the Suez Canal, were being considered, and would be laid upon the Table of the House before long.

## CUSTOM HOUSE AND INLAND REVENUE OFFICERS.—QUESTION.

In reply to Mr. MONK,

THE CHANCELLOR OF THE EXCHEQUER said, he was unable to say how it was that the Reports of the Inland

Revenue and Custom House Commissioners, with reference to giving the officials of the Departments electoral facilities, were not in the hands of hon. Members. They were in the hands of the printers, and he presumed they would be distributed to-morrow morning.

ACQUISITION AND CONTROL OF IRISH RAILWAYS.—RESOLUTION.

MR. BLENNERHASSETT: I rise to call the attention of the House to the subject of the acquisition and control of Railways by the State, and I shall conclude with a Motion, which, for reasons I will presently state, deals exclusively with the railway system of one portion of the Kingdom. In approaching this question, I cannot but remember with satisfaction that the views I am about to advance have received, on various occasions, the warm approval of some of the most eminent and experienced men connected with the working of railways in this country. This is a question on which abstract ideas and mere theories count for little, and I am well aware that if the feeling of the House is to go with me at all, in advocating, as I intend to advocate, the acquisition of railways by the State, it can only be if I am able to show some practical grounds for the strong conviction I entertain of the necessity of such a course. On the very threshold of this subject, I have to meet an objection founded on the principle that "the business of Government is not to trade but to govern." This is a maxim so sound and useful in its legitimate application that there is no little danger of losing sight of the necessary limitations to which it is subject, and so applying it to a state of things to which it really may not extend. It will be at once admitted that it has constantly been found necessary, in practice, to limit this restriction of a Government interference so as to exclude certain classes of industrial operations to which the principle of competition is inapplicable, which it is of the utmost importance to the public to have well performed, and which no private enterprise would be able to manage in an equally satisfactory manner. I am entirely opposed to the idea that the Government should, for a profit, enter into competition with the ordinary trader, and I am quite willing to

admit that nothing short of a great public necessity can justify the State in undertaking the management of an industrial enterprise. Such a public necessity, however, has led the Government of this country, with full justification to undertake the business of the Post Office, to establish the Post Office Savings' Banks, and to make the working of the Electric Telegraph a department of the State. On precisely similar grounds I am prepared to rest the case for the State purchase of railways. The railway system is essentially a monopoly; it is of vital importance to the whole community that the railways should be managed in the best possible manner; and there are various reasons why the State would occupy, as compared with private companies, an exceptionally favourable position in undertaking such a work. The history of legislation on railway questions shows that it was not the original intention of Parliament to allow the companies to possess any monopoly of the means of communication even on their own lines. In almost all their Acts of Incorporation, provision is made to enable all persons who choose, to use the lines, like common roads or canals, on payment of certain tolls and subject to certain necessary restrictions. This idea of protecting the interest of the public by what may be called "competition on the lines," in a short time, of course, proved to be an utter delusion, and the companies enjoyed an exclusive monopoly of the use of their lines. The next attempt to obtain for the public the advantages of competition was the abandonment by Parliament of opposition to the construction of competing lines. One effect of this was to inflict serious injury on the owners of existing lines which had been constructed in the belief that they would not be exposed to any such direct competition. The result of this policy was, for a time, a wasteful and mischievous rivalry between different companies; projects for the construction of competing lines, often disastrous to those who undertook them, were rife; and an enormous amount of capital and energy were wasted with comparatively little advantage to the public. In the course of time, however, the companies began to see the folly of this suicidal rivalry, and the utter failure of the attempt to maintain competition may be understood from

this passage in the evidence of Mr. Harrison before the Royal Commission which was appointed to inquire into the subject.

"There is not a single instance," he said, speaking in the year 1867, "at the present moment, where a line has been granted upon the ground of affording competition, where that competition exists."

But not only did the opening of competing lines utterly fail, after a little time, in keeping down fares and rates, while it reduced the profits of the shareholders of existing companies, but it has been clearly shown that the ultimate effect of the construction of these lines has been to raise the charges and maintain them at a high standard, and for this reason—When rival companies have come to an understanding between themselves to charge equal fares and to abandon competition, these fares are generally considerably higher than the old ones. Mr. Cawkwell pointed out the reason—

"That there are two capitals on which interest has to be paid, and two lines then have to be worked to accommodate the same traffic, instead of one capital and one line."

As Sir Rowland Hill says in his Report on the Royal Commission—

"The traffic that would be ample for affording a reasonable profit to one line, is often quite insufficient for two, thus Parliament, which in the case of excessive profits might warrantably interfere to lower the rates, is debarred from so doing from a sense of justice, and by the fear that a further reduction of profits, already too low, might render the working of the line impracticable."

Thus the course adopted by Parliament, in sanctioning the construction of competing lines, in the hope that they would tend to produce low rates, has had quite the contrary effect, and become the means of maintaining high ones. But whatever the influence of competition may be, it is quite evident that it must not be relied on in the future. The history of railways for some years past points to no fact more clearly than the enormous extent to which amalgamation between companies has taken place. Out of 15,000 miles of railway at the end of 1871, 15 companies owned or worked no less than 10,000 miles, leaving little over 4,000 miles in the hands of the remaining 91 companies. After a brief period of competition the result is always the same—the lion and the lamb lie down together and apply their

united energy to getting as much as possible out of the public. The Joint Committee which sat in 1872 to inquire into the subject of amalgamation, in answer to the question—

"How far does competition exist, and how far can it be relied on?" replied—"There is little or no real competition in point of charges between railway companies, and its continuance cannot be relied on. There is at the present time considerable competition in point of facilities, but the security for its permanence is uncertain."

They further assert that—

"The facts and figures brought before them afford proof that the general recommendations and resolutions of Committees, Commissions, or Government department, have had but little influence upon the action of Private Bill Committees, and have not stayed the progress of the companies in their course of union and amalgamation."

At the present moment, three great companies working in intimate alliance—namely, the London and North Western, the Lancashire and Yorkshire, and the Caledonian, owning or working 2,685 miles of railway, and with a joint capital, including the capital of lines worked by them, of over £120,000,000, share between them one-quarter of the railway capital, and one-fifth of the railway mileage of Great Britain. The North Eastern Railway alone is now composed of 37 combined lines which were formerly competing. Nor is there any reason to suppose that this process will not go on still further in the direction of monopoly. The Amalgamation Committee, to which I have referred, while they see clearly the fact that, in the words of their Report—"Combination between railway companies is increasing, and is likely to increase," have failed to devise any method of effectually controlling it. After recommending the appointment of the Railway and Canal Commission which was created last year, they conclude their Report in these words—

"If the above recommendations are adopted by Parliament, they will not have the effect of preventing the growth of railway monopolies."

Indeed, it is perfectly obvious that neither Parliament, nor a Commission, nor any other authority, can compel companies, once they perceive that their interest is in combined action, to maintain a rivalry injurious to themselves. We, thus, are brought face to face with



the question, whether the great railway system of the country is to be held by a monopoly of joint stock interest, to be worked with special regard to the profits of certain shareholders of companies, or whether it should be placed under the control and management of the State, to be worked on the broad principle of obtaining for the public, the greatest degree of safety, the utmost facilities for the conveyance of passengers and goods, and the very lowest scale of rates and fares consistent with avoidance of loss. But, it may be asked, is there no intermediate course—Is there no method by which Government, without taking upon itself the burthen and responsibility of owning the railways, can, at the same time, control them so as effectually to protect the public interest? I think not. The history of attempts made by the Government to interfere, in this way, with the working of railways, is not encouraging. It is now 21 years since a Committee sat to devise some means of protecting the public against the great inconveniences, and the impediments to traffic, which arose from the action of the railway companies. The result of their labours was the adoption in the following year, 1854, of the Act known as the Railway and Canal Traffic Act, which was introduced by Mr. (now Lord) Cardwell, the object of which was to secure uninterrupted facilities for the convenient interchange of goods and passenger traffic from one railway system to another, and also to compel the companies to observe the rule of equal charges under the same circumstances. It was clearly shown before the Joint Committee of 1872 that this Act has accomplished hardly anything. Mr. Chichester Fortescue, the late President of the Board of Trade, speaking in this House last year, did not hesitate to say that—

“As to securing the equal treatment of company by company, or the free and uninterrupted forwarding of traffic over all the lines which Parliament had sanctioned, the success of the Act had been most imperfect,” and he added that, “in controlling the dealings of company with company, the Act had been, to a great degree, a dead letter.”—[3 *Hansard*, ccxiv. 234.]

It is true that this failure was partly attributed to the unsuitability of the Court of Common Pleas to act as a tribunal for the decision of the cases which arose under it, and last year an amended

form of the Act was recommended, and three Commissioners were appointed to act as a tribunal. It was stated last night, in “another place”—and the statement was not contradicted—that this Commission is nothing more than a mere Board of Arbitration, and that there are no means of enforcing its decrees. Indeed, when we consider the nature of the case, and the vast difficulties to be encountered, we are driven to the conclusion that the causes of failure which affected the old tribunal must apply also to the new, because they are inherent in the nature of the matters with which the tribunal has to deal. It may appear, in theory, a perfectly easy thing for Parliament to insist on the effectual fulfilment of the conditions on which it has granted concessions to railway companies, but, practically, nothing is more difficult. This is one of those cases in which it may be said that the cure is worse than the disease, for supervision to be effectual, must be so interfering and so inquisitorial that it would inevitably lead to a system of divided power and responsibility which would produce the most disastrous results. Remember, also, that if by Government restrictions or interference you reduce the responsibility of the companies, in the very same degree that you do this, you increase the responsibility of the Government. If, then, we cannot look to competition for protection against monopoly, and if it has been found impracticable to control monopolizing companies in the interest of the public, we must either take the railways into our own hands, or be content to see a system of joint stock monopoly grow up amongst us wielding an enormous and practically irresponsible power, which it will use with the great and primary object of advancing its own selfish interests. If the interest of railway companies, and the interest of the public were identical, this state of things need not cause any apprehension; but this is not so. To a certain extent, no doubt, it is the interest of the companies to provide facilities for the public; but the ultimate object aimed at in company management and in State management is entirely different. Many instances can be adduced in which the directors of railway companies, acting in strict accordance with their duty, which is to obtain the highest possible dividend for their shareholders, have inflicted most

*Mr. Blennerhassett*



serious injury on the public at large. For instance, the interest of the public demands that as many persons as possible should be able to travel at the lowest possible charge consistent with avoidance of loss; and the object of State management would be directed to the attainment of that end. If a railway company, on the other hand, can get as much profit by conveying 10 persons at a high rate as it could by conveying 50 persons at a much lower rate, why should it trouble itself about the remaining 40 persons? Neither must it be supposed that this is by any means an imaginary state of things, the principle which underlies it is at the bottom of our whole scale of railway charges in this country. It has been proved over and over again that the loss of profit consequent upon an enormous reduction of rates is by no means proportionate to the amount of the reduction, and is utterly insignificant when compared with the general advantage resulting from it. Now under a system of State management this general gain would be an element in the calculation, but no Directors of a company would be justified in reducing the amount of their shareholders' profit for the good of the general public. Looking at the question from an economical point of view, I should like to know how it can be that if the gain to the companies from high rates is less than the loss to the public caused by those high rates, the result is not an economical injury to the nation? The evidence brought before the Royal Commission and the Joint Committee contains abundant proof of the fact that the diversity of interest between railway companies and the public has in many ways operated injuriously on the trade and commerce of the country, and it was clearly shown that the companies have not hesitated to use their powers in a manner prejudicial to the general interest, and in a way never contemplated by the Legislature. One instance of this is the way in which traffic has been diverted from its natural and shortest course by the imposition of what are termed bar-tolls—that is tolls imposed not in the way of fair traffic, but for prohibitory purposes—on the links of the canal system of which the railway companies had obtained possession. Many cases were adduced, also, of the way in which traffic has been impeded

and irregularly diverted in order that railway companies might obtain additional profit. Thus it was proved before the Committee that South Yorkshire coal had almost entirely ceased to come to London, because two railway companies had raised the rates for conveying coals from South Yorkshire to a prohibitory extent in favour of coals from Derbyshire and other places. The extent to which evils such as this prevail is pointed out very clearly in a memorial which was addressed a couple of years ago to the then Prime Minister by the Liverpool Chamber of Commerce. This document called attention to—

“the excessive and especially the unequal rates levied by the railway companies on the traffic to and from Liverpool as compared with the rates charged for the same goods for similar distances to and from other places.”

It went on to state that—

“these extra charges are so imposed as to force the traffic out of its natural channels, and to enable the railway companies to offer a bounty to divert it into other channels through which it would not otherwise flow;”

and pointed out in conclusion that—

“then the consumers of imports and producers of exports in the great and populous district of which Liverpool is the natural maritime centre, are burthened with a tax and restricted on their trade in order that unprofitable extensions of railways in other directions may be made to pay.”

Surely it is a grave question whether private companies working for their own interest should be allowed to exercise so vast a power as this over the industry and enterprise of the country. But this is not all. Not only was it shown that the companies have often used their power injuriously on the existing lines, but it was also proved that serious injury has been done to various places by the persistent and vexatious opposition which they have offered to the construction of new lines. Mr. Lankester, a merchant of Southampton, told the Joint Committee that over £200,000 had been wasted by that city in attempting to overcome the opposition of two powerful companies, the Great Western and the London and South Western, to the effort made to obtain direct communication between Southampton and the manufacturing districts of the North. He dwelt on the injury caused by the want of such communication to the trade and commerce of Southampton, and pointed out that not only were they without any

direct communication with the Welsh collieries, but that quantities of manufactured goods from Sheffield, Manchester, &c. are actually at a considerable increase of cost as well as distance, out of their direct route as far as London, on their way to Southampton. The spirit in which the companies are managed may be imagined from one little incident. It was proved before the Standing Arbitrator that at one time when there was an effort made to secure running powers for through trains between the North British System and the Scottish Central and Scottish North Eastern lines over the lines of the Caledonian Company, even in the rigours of a Northern winter the Caledonian Company would not allow foot-warmers to be supplied to the North British passengers at the very stations where, with a refinement of cruelty, they provided them for their own. The discontent of the public with the management of railway companies is no new feeling. So long ago as the year 1844 the complaints on this subject were so general that they led to the appointment of a Select Committee to inquire into them, which was presided over by the right hon. Gentleman the late First Minister. The result of this Committee was that after lengthened negotiations between the Board of Trade and the representatives of the railway interest an Act was passed which provided that at the expiration of 21 years the State could acquire the railways on certain terms laid down in the Act. This Act is applicable to a great number of the English lines, and there are only 64 miles of railway in Ireland which are not subject to its provisions. Although I do not believe that the Act of 1844 is of much value as regards any power of compulsory purchase conferred by it on the Government, it is extremely useful as evidence of the fact that it was the intention of the Legislature at that time to make provision for State purchase, should such a course come to be deemed desirable. The late Sir Robert Peel, who was a prominent opponent of Government interference with private enterprise, although not prepared at that time to advocate State purchase used these words when the Act providing for it was passing through the House—

“Seeing,” he said, “that there is a monopoly with respect to conveyance and communication, the Legislature should have the power of pur-

chasing after a certain period, on giving due notice to the parties concerned. We are about to say to the railway companies, you shall not have a permanent monopoly against the public, but after a limited number of years, we give you due notice, we shall have the option of purchasing your property.”

On a subsequent occasion the right hon. Gentleman the Member for Greenwich has pointed out that while words were inserted in the Act of 1844 for the purpose of preventing any Government at any subsequent period from acting upon the assumption that Parliament at that time entertained the view that the State should purchase the railways, yet, in his own words, said that—

“It was the opinion of the Parliament of 1844 that it was desirable to take measures for leaving their successors in a condition of perfect freedom to interfere with and acquire property in railways, in case such a measure should be thought advisable.”

But apart from this Act, considering the enormous public interests involved, and the fact that the railway companies have obtained a monopoly of the great highways of the country, which it was never the intention of Parliament that they should possess, this is obviously a matter which must be treated as a great question of public necessity; and should it be deemed advisable in the general interest to deal with it, the present owners of railway property—if they received fair compensation for their property, including a moderate percentage in consideration of compulsory purchase—would not be in any way aggrieved if Parliament were to take out of their hands a power, which it is not for the public interest they should any longer enjoy. If I were not unwilling to occupy too much time, I could point out from the evidence of the Royal Commission, how the Governments of Belgium and Germany have been able to acquire railways without dealing unfairly with the original owners. The advantages which the State possesses over private companies in the management of railways, spring chiefly from two causes—first, the superior borrowing powers of the State; and secondly, the advantage of one uniform system, undisturbed by the conflicting interests of different companies, and able to act on the broad principle of promoting, as far as possible, the general advantage and convenience. Sir Rowland Hill, in his Report on the Royal Commission, from whose conclusion against

purchase he dissented, sums up under the following heads the advantages to be derived from a transfer of the railways to the State:—1. The acquisition by the State of a property of greater value than its price. 2. The receipt by the proprietors of railways of a dividend somewhat higher than that of which, if the railways remained their own property, they could have any reasonable prospect, such dividend, moreover, being rendered certain in amount, and therefore free from its present liability to great fluctuations. 3. A cessation to a great extent, of fierce struggles to obtain legal authority to construct new railways, with the consequent saving of the cost of such struggles, of the time and attention of Parliament, and of the directors of railways and others; the saving of the expense of making railways which are not needed, and so on. 4. The power of making a reduction, eventually large, in fares and rates. 5. The greater efficiency of management, and a great improvement in postal facilities, and a cheap parcels' delivery. To these may be added the advantage, in a military point of view, of having one uniform system of railways under the control of the Government. Among the advantages which would result from State management, there is one, certainly not the least important, which we would be justified in expecting, and that is, more adequate provision for the public safety. A noble Duke, a Member of the Cabinet (the Duke of Richmond), admitted last night in the other House, "That the Government are perfectly agreed that with regard to accidents on railways the country is in a most unsatisfactory condition." The evidence given before the Committee on Railway Accidents, of which the hon. Member the Secretary to the Board of Trade (Mr. Bentinck) was Chairman, disclosed the appalling fact that hundreds of people had lost their lives in accidents which might easily have been prevented. Nor is this state of things improving. In the last Board of Trade Returns, out of 246 accidents which took place in the year 1872, no less than 238 are classed as preventable. In that year, over 1,000 persons were killed, and more than 3,000 injured in railway accidents, and the Returns show an increase of 44 per cent in the year 1872 as compared with the preceding year. The Railway Commissioners do not deal with this

matter of safety at all—it is not within their province, and the Inspectors appointed by the Board of Trade are powerless to do anything except to make Reports, and to suggest remedies, the adoption of which they have no authority to enforce. Captain Tyler, one of these Inspectors, in his Report upon the Kirtlebridge accident, which took place in 1872, points out the great difficulty the Board of Trade has always experienced in inducing companies, and especially the large and more powerful ones, to adopt even the most obvious improvements in the system of working and principles of construction, and he also draws attention to the fact that the most extensive railway systems have far from kept pace with their constantly growing business, and corresponding requirements. Many persons, no doubt, are deterred from any practical consideration of the proposition that the State should assume the control of the railway system, by the apparent magnitude of the undertaking. I do not at all wish to under estimate the serious nature of a proposal dealing with property worth the enormous sum of £500,000,000 or £600,000,000, and involving the management of over 15,000 miles of railway, employing upwards of 200,000 officers and servants, and transporting annually over 380,000,000 passengers and 170,000,000 tons of goods and minerals. But, at the same time, we must take care that the magnitude of these figures does not dazzle us, so that we become unable to discern the practical features of the scheme. As regards the difficulty of dealing with the enormous amount of money invested in railways, we must remember that, to a great extent, State purchase need be nothing more than a guarantee of dividend and interest. There need not be, as Captain Tyler has pointed out in one of his able speeches—

"Any transference of ownership as regards the real owners, the proprietary, inasmuch as the same individuals who now hold the railway stock of companies, might continue to possess if they choose, and no doubt, under judicious arrangements, a large proportion of them would choose, the railway stock of the State."

It would only be necessary to raise by the floating of State railway stock enough money to pay off those who desired to receive cash. If under the existing imperfect arrangements railway companies are able to buy up one another



with advantage to themselves, and on equitable terms, how can it be impossible to devise a plan by which the State, without any hardship or unfairness, may buy up the companies one after another, in the interest of the whole of the community? I think it hardly necessary to allude to the strange confusion of ideas which has been displayed in speaking of the proposal that the State should buy the railways, as a proposal which would have the effect of greatly increasing the National Debt. Those who use this language seem to have entirely lost sight of the distinction between wasting the revenues of the country in undertakings which bring no return, and the expenses of which have to be met by increased taxation, and the acquisition by the State, which would yield a return not only sufficient to meet the cost of acquiring it, but would, in all reasonable probability, continue to improve and increase in value every year. The growing security of railway property, and the safety of any obligation the State would incur in acquiring it, is indicated by the fact pointed out in the annual Report issued last month by Captain Tyler, that for the years 1871 and 1872—the last years for which the accounts have yet been analysed—for the first time in the history of our railways, the average dividend on ordinary stocks exceeded the average dividend or interest on the fixed charges preferred to them. In the year 1872, the average rate of interest on the preferential and loan capital of the railways of the United Kingdom was 4·89 per cent, while the average interest on the ordinary capital was 5·14 per cent. I cannot venture to occupy the time of the House by entering into the financial details of the question; but if, bearing in mind the superior credit of the State, and the economy which would result from uniform management, we were to compare the amount which would have to be provided annually to satisfy the fair demands of the present owners, with the net annual income of the railways, it would be seen then, the financial part of the proposal is very far from presenting any insuperable difficulties. As regards the capacity of the State to undertake the successful management of so vast a business, it must not be forgotten that all experience shows that the difficulty of administrative work by no means is increased in proportion to its

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magnitude. A mere multiplication of similar mechanical arrangements by an extension of organization, may accomplish an apparently overwhelming amount of work, without much additional difficulty, and with the utmost facility for applying the invaluable principle of the division of labour. We must also remember that in undertaking the management of the railways, the State would enter into possession of an organization and machinery already provided and kept in working order by constant use. In Captain Tyler's words,

"There need not be even a change of management as many of the present chairmen and directors would probably become administrators for the State, while the officers and servants of the companies would, as a rule, remain in their places, and the management and working would be conducted by the same heads and the same hands."

I know that fault has often been found with the administration of public departments, and that, in some instances, it has been contrasted unfavourably with the management of private companies. In this respect, however, there is a great distinction to be observed between the earning, working, Departments of the State, and what are known as the spending Departments. Over the spending Departments, as a rule, the healthy influences of public opinion and criticism have comparatively little control, but it is very different with these working Departments of Government which touch in their operation, the daily interests and convenience of the people. An eminent official connected with the Post Office, put this point very clearly in an address which he delivered not very long ago—

"That great establishment," said Mr. Scudamore, speaking of his own department, "is rendered efficient because it is worked under the eye of the public, its master, because it is brought face to face with that master not merely from day to day, but from hour to hour; because it does work which is absolutely necessary to its master, which, when well done is of the highest possible advantage, and which, if ill-done, is utterly intolerable."

He added, also, that he believed that public opinion, expressed either through Parliament or the Press, was the salt which kept the Post Office sweet; that it was to the pressure of public opinion and the constant supervision of the public—to the fact that the master's eye was always on the Post Office—that that great establishment owed its efficiency,

energy, and zeal. Every word that has been said in this respect about the Post Office, would apply with equal, if not greater force, to the railways; nor can anyone doubt that public opinion and criticism would, in this country, have a far greater chance of promoting efficiency, in acting upon a public department, specially entrusted with the duty of promoting, as far as possible, the general interest and convenience, than in attempting to influence the directors of companies, who are only bound to consider the wishes or interest of the public, so far as it happens to be the interest of their shareholders that they should do so. The same healthy public opinion, also, would no doubt be an effectual safeguard against any abuse of those powers of patronage with which a railway department would have to be entrusted. As a matter of fact, we find that in Belgium and elsewhere, when vacancies occur in the railway service of the State, they are filled up by the responsible officers of the department, simply with a view to secure the best and most capable men to do the work. My reluctance to trespass unduly upon the patience of the House compels me to pass over many points of interest, but I hope hon. Members may be of opinion that I have said something to show that the railway system is essentially a monopoly, to which the principles of Free Trade and competition are entirely inapplicable; that it is not possible for Government effectually to control this monopoly in the public interest; that the railway companies have frequently used their powers to the injury of the public; that they have not sufficiently provided for the safety and convenience of their passengers, while they have not hesitated to divert the free course of traffic for their own objects; that Parliament by no means originally intended the companies to enjoy their present monopoly, and has always meant to reserve to itself the power of acquiring the lines, if it should seem desirable in the public interest to do so; that for financial and other reasons the State would have peculiar advantages, as compared with private companies, in the working of railways; that the practical difficulties, and the way of acquiring and managing the lines, are by no means so great as they appear at first sight, while the steady

progress of amalgamation, forces upon us more strongly every day the question whether the great iron highways of the country are to be managed by the State in the interests of the public, or by a small and constantly decreasing number of Joint Stock companies for their own private ends. I have not ventured, however, to submit a Motion to the House on this great subject as a whole. I am not prepared to say that public opinion in this country is as yet sufficiently matured upon it. I have, therefore, confined my Motion to a portion of the Kingdom where public opinion is almost unanimous in favour of the views I advocate, and where the railway system is of so limited an extent that an experiment may be tried with but little risk or difficulty, which would be of great value in enabling us to come to a conclusion on the wider issue I have stated to the House. Though I believe that a strong argument for the State purchase of the Irish railways is to be found in the fact that by so doing a great deal of practical information and experience as to the State working of railways might be gained, which would be extremely useful in determining the course Government might in future pursue with regard to the railways of the United Kingdom, still it by no means follows that it is not expedient to buy the Irish lines because we are not prepared to buy the English ones also. The case of Ireland is special and peculiar. This distinction was clearly pointed out some time ago by the late Prime Minister, who not only said that he did not see that the adoption of the principle of State purchase with regard to Ireland would render necessary the adoption of the same principle in Great Britain, but who even admitted that, in his opinion, such a step would not have any sensible effect in prejudicing the position of Government for resisting any plan in England or Scotland that might be brought forward. The circumstances of the two countries are so different that the judgment of Parliament as regards the English railways would not be in any way compromised by any course it might adopt with reference to Ireland. Indeed, it must be at once admitted that the condition of Ireland is so different in many respects from that of England that it is quite easy to conceive that a proposal economically bad in England



might not be open to the same objections if applied to Ireland. I do not mean for one moment to advocate that we should proceed on unsound economical principles in our dealings with Ireland. It has been well said that to talk of relaxing the laws of political economy because a country is poor and undeveloped, is very much the same as if a physician were to propose to relax the laws of medical science because his patient was of a feeble constitution. But, as one who was himself a great economist once pointed out in this House, political economy, being, like every other science, a thing to guide our judgment, not to stand in its place, we must not attempt to lay down a set of practical indefeasible rules, and insist on applying them without regard to times, places, and circumstances; but we must in every instance examine the particular conditions of the case with which we have to deal, in order that we may be in a position to form a sound judgment as to the treatment it requires. I have no wish to conceal my belief that we would be acting on sound economical principles if the State were to buy the railways of the United Kingdom, but in the case of Ireland there are special reasons why such a policy is desirable. I hope to show the House that in bringing forward this Motion I am making no appeal *in forma pauperis* on behalf of Ireland; but were I making an appeal for a generous treatment of this matter, I might remind the House that if the Irish railways have difficulties to contend against owing to the want of commercial activity and manufactures in that country, that it was the jealousy of the English Parliament in the interest of English traders which discouraged and brought to ruin many branches of industry in Ireland. Although this deplorable policy has long been abandoned, we must remember that when the industry of a people has been artificially depressed, the removal of the injurious restrictions by no means places it in the same position, either relatively or absolutely, which it would have occupied had they never been imposed. I have said that my proposal is no demand made by Ireland upon the Imperial Exchequer. It has not generally, I am told, been found difficult to get Irishmen to unite in support of any attempt to get money from the Im-

perial resources for exclusively Irish purposes, and I am quite ready to admit that such unanimity cannot be expected to have much weight. The general and remarkable expression of Irish public opinion in favour of the State purchase of the railways is not open to this objection, because it has been thoroughly accepted by those who have moved in the matter, that the Imperial Government should not, under any circumstances, sustain any loss from the transaction, the entire burden of the loss, should there be any, falling upon exclusively Irish resources. Irishmen, without distinction of party or class, complain of the bad state of their railway system; they wish for an united system of management in the public interest; they believe the experiment of State purchase would be a financial success; but they are willing to bear the loss if it were not so. The question is one which should be argued on practical and economical grounds alone, and I hope no irrelevant political topics will be introduced to obscure and complicate the discussion. The evils under which the Irish railway system suffers were pointed out by a great number of witnesses before the Commission of which the Duke of Devonshire was Chairman, and this evidence is summed up in an exhaustive manner in the supplementary Report on that Commission prepared by Mr. Monsell, now Lord Emly. The whole railway mileage of Ireland is little over 2,000 miles, and the work done by all the Irish lines put together is considerably less than that of several of the great English companies. Yet, notwithstanding the limited extent of the whole system, there are in Ireland between 50 and 60 different lines of railways authorized by Act of Parliament. These lines have an average length of only 48 miles, and their affairs are administered by over 400 directors, and a number of solicitors, secretaries, engineers, and other officials, ridiculously disproportionate to the amount of work to be done. To illustrate the consequences of this state of things, a friend told me the other day that the traffic manager of one of four short lines which have one terminus in Cork, said to him that if he had the management of all the four lines he would be comparatively idle; but that now every moment of his time was occupied watching the pro-

ceedings of the other three companies. In his evidence before the Royal Commission, Captain Huish, 18 years manager of the London and North Western Railway, attributed to the divided management four facts which, he said, must strike everyone who travels on Irish railways—namely, that the rates are very high, the speed very slow, the trains very few, and the remuneration of the proprietors very small. Mr. Forbes, ten years manager of the Midland Great Western, said that, in his opinion, the fares and rates in Ireland were prohibitory of any development of the traffic, and had been so ever since he had known the country. Practically, since the opening of the railway system in Ireland nothing had been done in the way of experiment. If the rates were lowered, there would be a very large increase in the traffic of the country. The feeling in Ireland is that, if the railways are to be managed with the skill, judgment, and economy which are essential to the welfare of the country, amalgamation and unity of management are absolutely necessary; but they desire such an amalgamation as will not have the effect of placing the control of the whole internal traffic of the country in the hands of an irresponsible monopoly, acting for its own private interests. What they want is amalgamation in the public interest, and management conducted with the primary object of promoting, as far as possible, the general welfare and convenience. There can be no doubt that the assumption of the Irish railways by Government would produce a great saving of expense. The economy from consolidated management has been estimated by various witnesses at from £50,000 to £150,000 a-year. A great deal would be gained also, in this way, in the power of transferring rolling stock to places where it may be required on special occasions, such as the great fair at Ballinasloe. This is really an important matter, for it was pointed out to the Commission that the want of capital of railway companies in Ireland has the effect, not only of preventing the further development of traffic, but even hinders them from availing themselves properly of the existing requirements of trade. The concentration of a large amount of rolling stock is frequently required for transporting cattle from fairs; and purchasers of stock,

uncertain of being able to remove them, either abstain from buying, or buy at a lower price. Another great element of economy is the superiority of Government credit. The Irish railway companies have raised by loans and debenture stock a sum amounting to very nearly £7,000,000. If the State were to assume that debt, the result of the reduction of interest consequent on State security, would be an annual saving, estimated by the highest authorities, of between £80,000 and £100,000. I am informed on good authority that the total commercial value of the Irish railways at the present time is probably rather less than £24,000,000, and as the permanent way of most, and the rolling stock of a good many, are not in good order, the real value cannot be taken at more than £22,000,000. If the Government were to purchase, no doubt, a certain percentage must be added to this as compensation for compulsory sale. But, making allowance for this, I do not see any reason to anticipate any financial loss on the transaction. The Board of Trade Returns for the year ending 31st December, 1872, give the total receipts of the Irish railways at a little over £2,400,000. Of this sum, the large amount of £1,300,000 is absorbed by working expenses, being 53 per cent of the gross receipts. In England and Scotland the proportion of working expenses to gross receipts is only 49 and 51 per cent respectively. However, the net income of the Irish lines in 1872 was over £1,100,000—a sum quite sufficient to relieve us from any apprehension of loss, after providing for the claims of the present owners of the railways. I am extremely anxious in dealing with this question to avoid anything like exaggeration or undue enlargement of expectation. We must not conceal from ourselves the fact that improvement in the railway system of Ireland can only be gradual and tentative; for no matter what facilities you give, the habits of a people cannot be changed all at once. We must remember, also, that as an experiment in State purchase, we can expect at best only very moderate results in Ireland—a poor country with a decreasing population. But, notwithstanding all this, I believe there are good grounds for thinking that the State, in purchasing the Irish railways, would not only find itself in a

position to confer, without any loss, great benefits on the country, but would also find itself in possession of a safe and fairly progressive property. The arterial lines of the country were originally constructed on sound principles, and in the best possible manner. There are some encouraging circumstances in the recent history of Irish railways. If, for instance, we compare the gross traffic given in the last Returns with the gross traffic of 1863—the year for which particulars are given by the first Railway Commissions—and allowing for the increase of mileage, we find that the average improvement in Ireland is somewhat greater than that of the United Kingdom in the same period. We also find in the same period that, while the net receipts of the Irish lines have increased about 30 per cent, the capital paid up has only increased about 15 per cent. Though, no doubt, great commercial activity and manufactures produce large traffic on railways, it would be an error to suppose that railways cannot be fairly prosperous where they do not exist. It was proved before the Royal Commission that, in countries as purely agricultural as Ireland, railways managed on the centralized system are as prosperous as the best English railways. Some of the Prussian lines, running through districts with quite as little of manufacturing wealth as the average of Ireland, pay large dividends. The whole traffic receipts of the Irish railways are less than those of the Great Eastern of England, which runs through a purely agricultural country. As regards rates and fares in Ireland, there is abundant evidence, with which I shall not venture to trouble the House now, to show that they are unduly high as compared with those Continental countries where the State owns the railways, and even as compared with England. The effect of these high charges is a small amount of traffic, and a depressing influence on the enterprise of the country. I am convinced that, under State management, a great ultimate reduction in these charges might be effected. It is an established fact in the annals of railways that even the most extraordinary lowering of fares leads to but a comparatively small loss in dividend. To illustrate this, I need hardly remind the House of the celebrated contest between the Edinburgh and Glasgow and the Caledonian Com-

panies for the Edinburgh and Glasgow traffic. The fares, which were 8s., 6s., and 4s. for the 1st, 2nd, and 3rd classes, respectively, were reduced to 1s., 9d., and 6d. The battle went on for a year and a-half, and, at the end of that time, the dividend of the Edinburgh and Glasgow was only 1 per cent less than ordinary, and that of the Caledonian only  $\frac{1}{2}$  per cent. Another point is, that a reduction of charges, which may prove ultimately very remunerative, sometimes entails a temporary loss until the increased traffic has had time to develop. Now, Government could afford to wait for future gains, but what Board of Directors could venture to sacrifice the immediate interest of their shareholders for a prospective and perhaps remote advantage. There are firm grounds for supposing that there is a good deal of undeveloped traffic in Ireland, which low charges and increased facilities would bring out. A curious fact with regard to the Irish railways is that the stations are so far apart that local traffic, and particularly third class passenger traffic is greatly discouraged. The number of miles between stations on French, German, and Belgian lines varies generally from about three to five miles; in England the average is four and a quarter miles; while in Ireland it is as high as six miles. As a matter of fact, in the South and centre of Ireland the peasantry scarcely travel by rail at all. Though this, no doubt, is greatly due to high fares, it must also to some extent be attributed to the want of stations at a convenient distance from their homes. Again, in the time tables of most English lines there are convenient arrangements for markets and other special occasions, but I have never seen similar facilities announced in the time tables of any Irish lines. The great importance of attending to third class traffic may be better understood that the amount per train mile paid by third class passengers is often considerably greater than the amount paid by the other two classes put together. There has been a considerable increase in third class traffic in Ireland for the last two or three years, since additional facilities have been given; but even yet, of five trains between Dublin and Cork every day, only two take third class passengers, and as none of the branch lines have trains working to one of these, the

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result is that third class passengers have often to wait from one to three hours at the junctions of the branch lines. Although it cannot be expected that the rural population of Ireland will ever travel like the population of the manufacturing districts of England, yet the increase in third class traffic on the English lines since April 1872, when third class began to be taken on nearly all trains, indicates the great importance of giving the utmost facilities for this kind of traffic. Comparing the half years ending 31st December 1870 and 1873 we find that the number of third class passengers on the London and North Western increased, in round numbers from 10,000,000, in 1870, to over 17,000,000 in 1873, and on the Midland Railway from 6,500,000, in 1870, to nearly 10,000,000 in 1873; the financial result being that, allowing for the loss on second class traffic, the total gain to these two companies in the half year was £430,000, which is about equal to the whole of the second and third class traffic on all the Irish railways put together. As regards goods traffic in Ireland, the evidence brought before the Royal Commission shows clearly that many important branches of Irish industry, which with a cheap and harmonious mode of transit might develop and flourish, are depressed and crushed by the high rate of charges and the conflicting arrangements of the railway companies. The Report of the Inspectors of Irish Fisheries for 1871 points to the same conclusion. The Inspectors point out, in the words of the Report—

“What a very great drawback to the development of fisheries in remote parts of the coast is the cost and difficulty of conveying the fish to the large markets. In some places the expense of transit often amounts to fully half the sum realized by the fish. This is particularly the case where the fish has to be carried over two or three different lines of railway, each making a particular charge. No industry would be more benefited by the greater development and amalgamation of the railways than the coast fisheries.”

As one instance of the way in which industrial effort in Ireland is discouraged by the short-sighted and narrow policy of the railway companies, I may refer to a circumstance which was made known only last month. Near Mallow, a station on the Great Southern and Western Line there is a promising un-

dertaking lately established for the manufacture of condensed milk. A short time ago the secretary of this Company pointed out to the traffic manager of the Great Southern and Western Railway that, while at the rates quoted, the Milk Company can send 12 tons of their manufacture to Cork for £3 6s. 0d., that it costs £3 18s. 6d. to send only 11 tons; the result being that as they are not often in a position to send 12 tons daily they labour under great difficulties. The appeal to remedy this state of things was rejected. I hope, in conclusion, the House may be of opinion that I have said something to show that the existing system of railway management in Ireland is unsuited to the circumstances of that country, and fails to give reasonable facilities for goods and passenger traffic. I have also attempted to show that this evil can only be remedied by a process of amalgamation, and that this process should be effected by the State in the public interest; and also, that while the Imperial Exchequer would run no possible risk of loss, there is every reason to expect that the advantages of Government security and unity of management would make the experiment a financial success, and would ultimately render possible such a reduction of charges and development and improvement of the railway system as would confer very real benefits on the country. I cannot now enter into details with regard to foreign railways; but I may remind the House that my Motion only proposes that we should give some trial to a system which has been adopted, more or less, by nearly every country in Europe. In Belgium, where the rates are beyond comparison lower than with us, the State lines last year showed a net return of 6 per cent on the invested capital; and Government management has been found so successful as compared with company management, that all the lines of the country are gradually falling into the hands of the State. When M. Faisseaux, the Director General of the Belgian Railways, was examined before the Royal Commission, he did not hesitate to say that although Ireland, unlike Belgium, was almost purely agricultural, and not to a great extent a commercial and manufacturing country, he would have followed the same course in Belgium if the country was in the same position as Ireland. I believe England



might learn many useful things from the management of Continental railways. We were the pioneers of the railway system, and other countries, following us, have been able to profit by the experience we acquired at great cost. It is a serious consideration that England is almost the only European State which has not acted on the principle that railways are the true sinking fund for the payment of the National Debt. I am grateful to the House for having borne with me so long on a subject which it is not easy to bring within reasonable limits, or to present in a practical shape. I am obliged to pass over many important points, and have desired rather to indicate certain general principles than to enter into any statement of details. I am satisfied, however, of this—that there is no question more worthy the attention of Parliament than the relation of railways to the State. It is a question which touches every class and affects every interest. If England is to maintain her position at the head of the industrial enterprise of the world, it is essential that her means of transport should be as perfect as possible. Railways not only cheapen trade, they make it possible; and nothing can be more clearly proved than that the commerce of a country bears a direct proportion to the improvement in its means of transport, and especially its transport by railway. The country pays nearly £50,000,000 a-year for the cost of transport. Every shilling of this enormous sum is a tax falling directly upon consumption, indirectly upon production. Anything which makes a reduction of this tax possible helps to remove a grievous burden from the industry of the people, and brings increased comfort to every household and family in the land. Great results, indeed, have been attained since the first year of the century, when Mr. Outram, of Derbyshire, laid iron rails on stone sleepers, and gave his name to the first tramway; but who can tell how much remains to be done, not only in the field of further mechanical improvement, but even to enable the country to enjoy the full benefits of the results already brought within our reach by scientific progress. We look back now with pity, almost akin to contempt, on the eager and strenuous opposition which, only a few years ago, ignorance and prejudice—

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even in such a home of learning as the University of Oxford—offered to the first construction of railroads. I am not at all sure that the feeling will be very different with which time to come the policy will be regarded of leaving the power of levying an enormous tax upon the people, and of controlling and diverting for its own purposes the commerce of the country, in the hands of an irresponsible monopoly of joint stock interest, and of refusing to recognize the principle that it is the duty of the State to undertake and provide that the railways of the country shall be managed so as to promote, as far as possible, the comfort, the welfare, and the safety of the whole nation. The hon. Gentleman concluded by moving the following Resolution:—

“That it is expedient that measures should be taken to obtain possession of the Irish Railways and place them under Government management.”

MR. W. ORMSBY GORE, in seconding the Motion, said, he resided in the vicinity of three Irish Railways, and the trains on them consisted generally of one or two carriages attached to the engine. The country had a very large population, but the fares were much too high for them to pay. The fault was not that of the Directors of the lines, because they were the servants of the shareholders, and not those of the public. It was their only business to try to get the largest dividends they could for their shareholders. The efforts to promote amalgamations in Irish railways which the right hon. Gentleman the late Prime Minister made last year had failed, though the terms offered were liberal—and they failed simply because people could not be induced to divest themselves of lucrative appointments for the public good. The only remedy for this state of things was the compulsory purchase of Irish railways by the State. What was wanted was that the Report of the Commissioners, which recommended the purchase of the railways by the Government, should be acted upon. The hon. Member for Rochester (Mr. Goldsmid) had placed on the Paper Notice of an Amendment—namely, “that the purchase of the Irish Railways by the State would be financially inexpedient.” But would it be so? Two scientific societies and some of the first financiers of the day, said there



would be no difficulty on the score of finance, and the late head of the Government acknowledged it. The whole thing could be done without borrowing, by means of Stock certificates bearing interest at  $3\frac{1}{2}$  per cent. The purchase of the English and Scotch railways would be a subject for consideration if the results of a purchase by the State of the Irish railways should be satisfactory. The hon. Member for Rochester was apprehensive about the National Debt becoming larger by the State purchase of railways than that of any other European State, and instanced France. But France had spent £500,000,000 by carrying on war with Germany, and what return had she got for that expenditure? Nothing but debt and the shame of defeat—whereas by the purchase of the railways we should acquire an immensely valuable property. What he desired to impress upon the House was this—that the proposal was not to spend money, but to make an investment which would prove a lucrative one, and which in any case would be attended by benefit to the State. The Chancellor of the Exchequer the other evening told them the effect of the remission of one half of the sugar duties, and went so far as to say, if they were wholly remitted, the effect would be to increase the consumption of tea, and he (Mr. Ormsby Gore) believed firmly that by the reduction of rates and fares on railways, they would increase the consumption of all Customs and Excise articles. It had been said that, excepting the alphabet and printing press, no human invention had ever done so much to civilize mankind as the improvement in the means of locomotion—but what was the use of it, if it was beyond the reach of the people? Let them lower the rates and fares and they would do more for the people of Ireland than anything yet propounded by the numerous political quacks, who were perpetually prescribing their violent nostrums and ruining the health of their patient. That the bargain itself would be remunerative if the purchase were made on anything like fair terms he felt convinced. What was required was that the rates and fares should be reduced, and encouragement given to the development of the traffic, and that could not be done so effectually as by the State. The hon.

Member concluded by seconding the Motion.

Motion made, and Question proposed,

“That it is expedient that measures should be taken to obtain possession of the Irish Railways and place them under Government management.”—(*Mr. Blennerhassett.*)

MR. GOLDSMID, in moving, as an Amendment, to leave out all the words after the word “That,” in order to add the words—

“The purchase of the Irish Railways by the State would be financially inexpedient, would unduly enlarge the patronage of the Government, and seriously increase the pressure of business in Parliament,”

said, that there were several questions which required to be answered before the House could arrive at the conclusion suggested by the hon. Member for Kerry. What were the grievances against the Companies both in England and Ireland? Were they remediable only by means of State purchase? If only remediable in that way, were they of sufficient moment to induce the House to disregard the great objections arising on other grounds? And, notably, what would be the financial results in case the proposal of the hon. Member (Mr. Blennerhassett) was accepted? He could understand the hon. Gentleman's desire to avoid the last question, because he firmly believed that the hon. Member's proposal would entail a heavy loss to the Revenue. What were the arguments urged? Most were general statements that “the purchase was for the public interest;” that “the railways were a dangerous monopoly employed in the interest of the shareholders, and against the interests of the public;” that “fares were too high;” that “trade was discouraged;” and so on. But what proofs of these allegations were offered? None that he (Mr. Goldsmid) could find, except that the hon. Member indulged in a series of assumptions, such as that the State would alone consider the interests of the public, and not care whether the railways were a paying concern—that the State would foster competition, would reduce fares, would make branches, &c., &c. It was in all this that the hon. Member was mistaken, for experience had shown, in connection with railway matters, that the true interests of the shareholders were not antagonistic to the in-

terests of the public, and that extra facilities and financial improvement went hand in hand. He was not one of those who contended that the management of English Railway Companies was absolutely perfect; but was this absolute perfection attainable anywhere? Recent discussion had surely shown that it had not been attained in the Army, Navy, or the Civil Service. That there were great evils in Irish railway management he did not deny; but it was perfectly manifest that if the Irish people and the Irish shareholders would step in and put an end to the mismanagement that existed, the same results would accrue as had been obtained in England. What was required for Ireland was simply unity of management. The hon. Member had quoted the North-Eastern system of England. Why, that was a strong case in point, for, as the hon. Member had said, that system had once consisted of 37 different companies, most of which did not pay. Then the shareholders had stepped in and said—"You shall amalgamate," and the line was now one of the best paying in the country. Again, it was somewhat astonishing to find the hon. Gentleman, who was an advocate of Home Rule, coming forward and practically saying that he had no confidence in his fellow-countrymen, and asking the United Parliament of the Three Kingdoms to undertake the management of Irish home affairs. The real fact was, they were asked to purchase the Irish railways because they were not paying concerns. This was admitted by Lord Claud Hamilton last year, when he said that he never should have given Notice of his Motion in favour of State purchase, if "the Irish railways had been in the same state of prosperity as those of England and Scotland." If the charges made by the companies were considered a grievance, they could be brought under the attention of the Commission appointed last Session for the very purpose of controlling the railways on such matters. It had been argued that if the railways were purchased by the State, there would be no accidents on them. That was the first time he had ever heard that Government property was not liable to accidents. He believed the Government powder stored at Hounslow had certainly once, at least, indulged in an explo-

sion; but he supposed the powder forgot, at the time, that it was Government property. Government vessels had been wrecked, Government guns had burst, and various other accidents had recently occurred to Government property; and consequently it appeared to him that if the Government were to purchase the railways they would still be liable to accident. What were the principal causes of railway accidents? On the Continent, the result of railway experience was that, in order to avoid accidents, it was absolutely necessary to limit the length of the trains, the number and class of passengers, and the speed. In England, the method of railway working had been entirely different, because we carried first, second, and third class passengers by express trains; we did not limit the number of trains; and we carried any number of passengers in a train. It was obvious that one cause of accidents had been the pressure put upon railway companies to carry, at a high rate of speed, persons of all the three classes, which caused trains to be too long, and to be liable to longer and more unforeseen detention, and, in consequence, to unpunctuality, and the accidents resulting therefrom. If we desired to have safety, we must have rigid rules with respect to the number of trains, the speed, and the number of passengers to be carried. If Parliament were to say that no train should run more than 40 miles an hour, or should contain more than a certain number of carriages, a fertile source of accidents would be got rid of. At least, one of the Railway Commissioners—a man of very considerable experience—entirely agreed with him on that point. The frequency of trains in England was three times greater than on most Continental lines, and there must follow from that state of things, also, a greater degree of liability to accidents. The carelessness both of passengers and servants was another and fruitful cause of accident, and there could be no doubt that that carelessness would still exist, whether the railways were managed by companies or by Government. But the preventable accidents might properly, and were intended to be checked by regulations to be made by the Railway Commission appointed last year. While considering the dis-

*Mr. Goldsmid*

advantageous circumstances of the railway traffic of this country, it would be well to bear in mind some figures showing the proportion of accidents to passengers that occurred here, as compared with those of other countries. He found in the *Gartenlaube*, which he had carefully consulted, that in 1869 there were 3,330 geographical miles of railway in England, 1,370 in Prussia, and 1,050 in Austria. In England the total number of passengers on these lines was 312,000,000; in Prussia, 62,000,000; and in Austria, 18,000,000. It was to be understood that he was making no reference to goods and mineral traffic, which was enormously greater in England than in the two countries named, and which, of course, inevitably added to the risks on railways. With regard to the two foreign countries named, it would be remembered that the population of each of them was certainly not less than that of England. Well, as to the number of accidents, there were in England 5 passengers per 1,000,000 injured slightly, injured seriously, or killed; in Prussia, 12 per 1,000,000; and in Austria, 23 per 1,000,000. This was, also, notwithstanding the fact that the rate of speed in England was far higher than in the two countries named. In India, again, although in that country the State exercised a strict control over the lines, the proportion of accidents was at least as large as in England. With regard to Belgium, where it was commonly said the *beau idéal* of railway management was to be found, he was not in possession of precise statistics; but he had reason to believe that the proportion there was not much short of what it was in Prussia. Persons who were liable to be alarmed by railway accidents should consider for a moment the far larger numbers of people who were run over in the streets of the metropolis. Last year there were no less than 217 persons killed by accidents in the streets of London, not to speak of the very considerable number who were injured. The reason why less attention was paid to this really more serious evil was, that the papers took less notice of such occurrences than they did of railway accidents; and that more people were killed or injured at one time on railways than in the streets. Keeping these facts in mind, the number of railway accidents did not appear so alarming; but, in his

opinion, they might be considerably reduced by enlarging the powers of the Railway Commission appointed last year. So much for the question of accidents. An argument for transferring the railways to Government had been drawn from the case of the Post Office and the Telegraphs. But the cases were not at all analogous, for the business of the Post Office and Telegraphs was, comparatively speaking, a very simple one, involving practically the use of very little capital, and that little almost a fixed quantity; and, moreover, the question of trust came into consideration. While on this point, he might also say with regard to the Telegraphs that he believed they had not hitherto been so successful, in a financial point of view, as had been expected when they were acquired by Government. A great portion of the expense connected with railways was the cost of the plant, and the purchase would involve an enormous outlay on the part of the Government. They should remember, too, what was the proper province of a Government. The real object of all Government was to do what was absolutely necessary for the welfare of the State, but not to enter into trade and commerce unless some imperious necessity required it. He maintained that no such imperious necessity had been shown by the hon. Member. The hon. Member had referred to the Report of the Irish Railway Commission, and had stated that one of its members, Sir Rowland Hill, was in favour of purchasing the Irish railways by the State; but in fairness he should have mentioned that only two members of that Commission—Sir Rowland Hill and Mr. Monsell—held that opinion, and that all the others were against it. Who were the other Commissioners? Their names were those of the Duke of Devonshire, the Earl of Donoughmore, the Earl of Belmore, the Hon. Leveson Gower, Messrs. Lowe, Roebuck, Horsfall, Dalglish, Glyn, Ayrton, Douglas Galton, Hamilton, Maclean, C.E., and Pole, C.E. (Secretary). They were all men of distinguished ability; and some of them had had great experience in railway management. This was the conclusion at which they arrived. They said—

“We cannot concur in the expediency of the purchase of the railways by the State, and we are of opinion that it is inexpedient at present

to submit the policy which has been adopted, of leaving the construction and management of railways to the free enterprise of the people, under such conditions as Parliament may think fit to impose for the general welfare of the public."

On that decision he took his stand, rather than on the opinion of two isolated members of that Commission. Again, Belgian experience had been quoted in favour of State purchase. But it should be remembered that the circumstances of the two countries were entirely different. The cost per mile in England was £36,000; in Belgium, £18,000. Land was far dearer in England; and so were labour, materials, &c., &c. Besides this, the speed in Belgium was 30 per cent less, and the number of trains far less; and, finally, the system was a very small one, so that the analogy was not a real one. To pass to another subject. What was it that it was really proposed to buy? It was important in considering this question to keep in view its magnitude. The total mileage of railways in the three countries was over 15,000 miles, and in Ireland alone over 2,000, and although it might be said that the purchase of the English and Scotch railways was not involved in the question, he believed that the principle which applied to one country equally applied to the others. The only difference was one of amount. Well, that being so, what was the amount of capital to be taken into account? In 1872 the total capital expended on the railways amounted to £570,000,000; and it was now, as far as he could ascertain, over £600,000,000. The percentage paid in 1872 on the ordinary share capital was 5·14 per cent, and on the total capital 4·51 per cent. At present it was, he believed, somewhat more. That being so, what would it cost to buy the railways? The calculation was a very simple one. If we were to issue Consols for the purpose of the purchase of the Irish and Scotch railways, we could not offer to the holders of stock less than the annual income which they at present received. Upon that principle the amount of Consols we should have to issue to replace £1,000 stock producing £45 a-year, would be £1,500, and therefore, if we were to purchase the £600,000,000 of stock we should have to give £900,000,000 of Consols in order to produce the revenue of 4½ per cent, allowing nothing for com-

pulsory purchase or prospective increase of value. Taking the analogy to be derived from the operation of the Lands Clauses Consolidation Act, compulsory purchase would necessitate an addition of 10 per cent, thus making £90,000,000 more, so that the result would be that we should find ourselves obliged, if the Government became the purchasers of the railways, to increase the National Debt by, at least, the large sum of £1,000,000,000, or, in other words, to more than double it, for now it amounted to only about £780,000,000. That would be without making any allowance for the prospective increase in the value of the investment; and upon that point he should like to refer to what had been stated by Captain Tyler, a gentleman of vast experience in railway matters, and who was most desirous, he could not help believing, to be at the head of a great State railway department. He had been told that in expressing that opinion last year, Captain Tyler was under the impression that he (Mr. Goldsmid) meant to cast some reflection on his character. That, however, was far from his intention; but it was only natural that a man in Captain Tyler's position should be employed, and should expect to be employed, by the Government in the management of railways if they were in the hands of the State; and though he had no doubt his Report was honest, his opinion would probably be, in consequence, more or less biased on the subject. Well, Captain Tyler said this—

"There seems no reason why receipts of railways should not in another series of years continue to manifest equally important progress. The Companies will be able, as their credit improves and their ordinary dividends increase, to raise money at cheaper rates. The additional outlay required for further accommodation and improved apparatus, though large in total amount, will be merely fractional as regards the total capital; and will be the means of inducing increased traffic, and of saving largely in compensation, and of effecting economy in working; so that it will, on the whole, be beneficial in a pecuniary sense to the Companies. The railway system generally, having to a great extent overcome the troubles connected with competition and extension from which at one time it suffered so severely, would appear to have before it, in years to come, the prospect of increasing soundness and approaching prosperity."

Allowance for the prospective increase of value must therefore be made in addition to the £1,000,000,000 of Consols, which he had ventured to show



was the minimum value of the railway share capital at the present moment. Put that at 10 per cent. It would therefore bring up the price to £1,100,000,000 of Consols. Now, for this to pay financially the annual profit, which might be taken at  $4\frac{1}{2}$  per cent, on £600,000,000 of railway stock, or £27,500,000, must be increased to £33,000,000. Consequently, at first, on £1,000,000,000 of Consols there must be a loss of £2,500,000 a-year, or on £1,100,000,000 of Consols there must be a loss of £5,500,000 a-year, the mean of which would be £4,000,000. Now, seeing that all sound politicians—such as the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), the present Chancellor of the Exchequer, the hon. Baronet the Member for Maidstone (Sir John Lubbock), and others—most properly insisted on decreasing in times of prosperity the National Debt, any policy which would lead to such a disastrous result as he had pointed out would be most unwise. Turning to the general result of the proposed plan, it would be seen that there were but two modes of management which could be followed. One would be for Government to lease the lines to working companies under certain conditions. But nothing could be gained by this, as without undertaking the vast and new responsibility proposed they had now the power of imposing conditions on the working—a power of control which the House exercised in many ways. Thus, it had appointed a Railway Commission to look after the railways, and it could increase the powers of that Commission. Consequently, that plan was out of the question. The only other method was that of direct Government management, which would involve the necessity on the part of the House of Commons of looking after the Government in the administration of so enormous a department. The result would be that there would be constant Motions in the House with respect to fares, wages, and branch lines; Motions with regard to one town being favoured more than another; and if a strike occurred, the matters in dispute would be brought before the Legislature, and the whole or greater part of the time of the House and the Government would be consumed in considering all these multifarious and most important questions.

There would, besides, be great difficulty on the part of the Government in managing 250,000 railway servants, and constant applications would be made to Members of the House in connection with the 20,000 vacancies which year after year occurred among that body. And what would be the system of appointment adopted? It could hardly be that of having recourse to the Civil Service Commission, because a man might be an admirable writer and pass the Civil Service examination, and yet not be possessed of those physical qualifications which were required in a railway porter. How, again, would it be possible, by means of such an examination, to select an efficient railway manager to look after the business of a great establishment? It appeared to him that the only system which it would be found possible to adopt was that of patronage, involving all those evils which it had been the endeavour of successive Governments to avoid. Again, we were told the object of the purchase was to reduce fares, and to build branch, and therefore non-paying, lines. But he had proved the financial results of purchase with present fares and lines. How much worse, then, might they not be with these reductions, unless the increase of traffic were enormous beyond all past experience, which would immediately necessitate vast additional outlay, as the present lines and plant would be totally insufficient? This was admitted by the Irish Railway Commission, who said that if the Government were to buy the Irish railways and reduce the fares they could not look forward to making any profit for at least 11 years, which he (Mr. Goldsmid) thought would even then be more than problematical. Moreover, if the Government had that enormous number of servants it would have to face the great difficulty of strikes—a matter not to be disregarded—especially when they remembered that of late there had been great discontent in the Civil Service, which contained, comparatively speaking, a small number of *employés*. Again, the State would be under the necessity of purchasing all the other undertakings in which the railway companies were interested, such as collieries, canals, steamers, harbours, engine and waggon-works, hotels, &c.; and thus the Government would have to enter generally into competition with the private enterprise of the country. Moreover, the



capital account would never be closed, for at present a sum varying between £10,000,000 and £20,000,000 was annually spent by the railway companies in new branch lines, extensions, additional rolling stock, and the like, all of which would have to be met by the Government. At present, too, if an accident occurred on a railway, a Government Inspector went down and tried to ascertain the cause of the mischief, and to enforce such alterations as would, in his opinion, obviate its recurrence; but if Captain Tyler were himself the manager of the line, who would inquire into his mismanagement or that of any other person who might be said to have caused the accident? He might ask, *Quis custodiet custodem ipsum?* The State would be responsible, legally, for the failure of its servants; and these questions would be constantly brought before the House, when they would have the same results as they had in regard to unfortunate events in the Navy and Army—a thing greatly to be deprecated. Again, there would not exist the same personal interest in making the undertaking pay as was now secured under private management; moreover, the adoption of improvements would be a great stumbling block. The President of the Board of Trade knew what a number of inventors were always appealing to him in favour of their inventions, while the experience of the First Lord of the Admiralty, no doubt, was very similar. He was informed that nobody could imagine how many alleged improvements were daily suggested to the railway companies—improvements which after a few months trial proved to be utter failures. Therefore, the difficulty which the companies encountered in selecting inventions would not be lessened but increased in the case of the Government; because probably they would have hon. Members of that House, the friends of inventors, bringing forward and urging the Government to adopt the greatest discoveries of the day. The effect which the purchase of the railways would have on the credit of the nation deserved notice. Although a portion of the property of the country would be represented by the railways, it would be inalienable; and a country with a Debt of £1,770,000,000, especially in times of difficulty, would not have the same national credit or be as able to

raise money as a country with a Debt of £780,000,000. The experience of France proved that to be so, although the recuperative power of France was as great as that of this country. To sum up, he (Mr. Goldsmid) would say that the hon. Member for Kerry (Mr. Blennerhassett) had shown a small grievance, but he had not shown that it could not be remedied either by the directors or shareholders of the railways, or by the action of Parliament or of the Railway Commission. He had given no proof that it was necessary for the State to purchase the Irish railways; whereas he (Mr. Goldsmid) had demonstrated that, for the State to buy them would involve not only great financial and political disturbance, but also such a vast amount of administrative difficulty as would practically impede the business of Parliament, and they knew already that on many occasions attempts had been made by right hon. Gentlemen on both sides to diminish the pressure of Public Business in that House. The gross amount received in 1872 by our railways for carrying passengers was £23,000,000, and for conveying goods, £28,000,000. That was the result of unaided private enterprise; and it was not, on the whole, discouraging. He said “unaided enterprise,” but that was only correct as regarding the English and Scotch railways, but not as regarding the Irish, because loans had been made by the Treasury to the Irish railways at certain rates of interest. From time to time the companies had applied to the Government to reduce those rates of interest, and on various occasions with success. He thought it was wrong for the Government to accede to those applications, as it was not their duty to make non-paying concerns pay. Moreover, he did not believe that such assistance from the State had been advantageous to the Irish railways themselves. When the present Speaker had been first elected to fill the Chair he so greatly adorned, he had said that the now Prime Minister was “a master of happy phrases;” to which he (Mr. Goldsmid) would venture to add that he was a master in appreciating the genius of his fellow-countrymen, and in judging the sources of the national prosperity; and he was sure the right hon. Gentleman would not wish to do anything that would check that main and primary

*Mr. Goldsmid*

source of English greatness—the efforts of private enterprise. He trusted, therefore, that the right hon. Gentleman the First Lord of the Treasury, or the right hon. Gentleman the Chief Secretary for Ireland, would positively state to the House that the Government did not approve of the Motion. He (Mr. Goldsmid) had thought it only right that the present House of Commons should hear the reasons—financial, general, commercial, and political—why the late House of Commons had withheld its assent from this proposal on two occasions; and he hoped the present House of Commons would confirm that decision. He begged to thank the House warmly for its courteous attention, and to conclude by moving his Amendment.

COLONEL BARTTELOT, in seconding the Amendment, said, the hon. Member who had just sat down had in his most able and lucid speech clearly made out a ground for rejecting the Motion of the hon. Member for Kerry (Mr. Blennerhassett.) He (Colonel Barttelot) approached that question in no unfriendly spirit to Ireland. It was not in any sense a party question; and if any real grievance could be shown to exist in regard to it he was sure that every hon. Member would readily do his best to remedy it. The hon. Member for Kerry, who had very ably brought forward the Motion, did not disguise from himself that the question of the Irish railways was mixed up with that of the English and Scotch. Last year the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), while admitting that Irish railways might be assisted in raising debentures, resisted the noble Lord's (Lord Claud Hamilton's) Motion, expressing his agreement with the hon. Member for Rochester (Mr. Goldsmid) that it was unwise for the Government to act as traders, though the Post Office was, and the Telegraphs might be, an exception. As to the Telegraphs, he might remark, the Government purchase had not apparently been a very successful speculation, the large dividends anticipated not being likely to accrue. He warned the House of the danger that might be incurred by purchasing the Irish railways. They were first told that they could be got for £22,000,000, next that a sum of £28,000,000 would be requisite; but the probability was

if the matter was thoroughly looked into that £30,000,000 would be nearer the mark. That being the case, they were bound carefully to consider what they were likely to get for their money. The first thing that would happen if the Government purchased the railways would be an immense clamour throughout the length and breadth of Ireland for a reduction of fares and increased railway accommodation. Then every place which had not a railway would ask for one, and consider itself very badly used if it did not get it. These were two strong reasons against the purchase; but there was another, equally strong, also deserving of consideration. Were the railways taken over by the State immense patronage would devolve upon the Government, which might work in a very awkward way. Leaving the advocates of Home Rule to consider the bearing of this proposal on that agitation, he would tell hon. Members opposite who referred to times long past to show that English legislation destroyed the trade and commerce of Ireland that they would render more service to their country by looking to the present time and to the manner in which Ireland was now treated. The hon. Member for Kerry (Mr. Blennerhassett), who described Irish trade as declining, should visit Belfast, one of the most flourishing towns in the United Kingdom, which had been making great advances. Let any one who knew Ireland say whether the trade of that country had not annually increased. Had not the wave of prosperity which had passed over England and Scotland affected Ireland? Look at the Returns made in regard to trade, commerce, and agriculture. There was no country that had made greater strides in prosperity during the last 20 years than Ireland. If it were only left alone, if there were a cessation of the agitation that was constantly going on, if her people would only follow the example of England and Scotland in their habits, there was nothing to hinder the sister Isle being as prosperous, as contented, and as happy as the rest of the United Kingdom. As to the management of railways, this was for the shareholders to remedy, and, were incompetent directors got rid of, the lines might be managed much better than could be done by any Government. He had hoped that after what had been done to

amend the condition of Ireland, her "winter of discontent" had passed away, and that the words of her poet might be applied to her—

"O Erin, O Erin, thy winter is past,  
And the hope that lived through it shall  
blossom at last."

He trusted that no false hopes would be held out, such as had proceeded from both front Benches in former years. There was no occasion now to hold out hopes that would not be realized, and he trusted that his right hon. Friend the Chief Secretary for Ireland would announce that the Government had no intention of purchasing Irish railways. The hon. and gallant Gentleman seconded the Amendment.

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the purchase of the Irish Railways by the State would be financially inexpedient, would unduly enlarge the patronage of the Government, and seriously increase the pressure of business in Parliament,"—(*Mr. Goldsmid*),—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. M'CARTHY DOWNING congratulated his hon. Friend the Member for Kerry (*Mr. Blennerhassett*) on the ability he displayed in bringing forward his Motion, and hoped the subject would receive the attention of the House. He (*Mr. Downing*) regretted that the hon. and gallant Member (*Colonel Barttelot*) had imported into this question a matter which might very well have been left out, and he cordially agreed with him in wishing that the Irish people were as happy as the English, but there was in fact a marked difference between the people of the two countries. This question had been several years in suspense, something like a promise being on one occasion given, while on another, hopes were held out that the existing mismanagement must and would be remedied. In 1836 the House resolved that Irish railways should be executed as public works, the management being vested in the Irish Board of Works, with power to the Treasury to consider what assistance might be requisite. This had remained a dead letter, as also had the recommendation of the Commission six years ago, which was adopted by

*Colonel Barttelot*

the House, that advances should be made to assist the construction of railways. It had been stated that large sums had been advanced by the Commissioners of Public Works in Ireland to aid in the construction of the Irish lines, but the House had not been told that those sums had been repaid. What was the fact? In all, sums amounting to £3,002,700 had been advanced, and of that large sum there was due now for principal £75,000, and for interest £27,000, but only because the time for payment of those sums had not arrived. The amount of interest paid on the loans amounted to no less than £757,341. He hoped never to hear it asserted that the money which had been borrowed had not been repaid.

MR. GOLDSMID said, he had never made such an assertion. What he stated was that money had been advanced to aid in the construction of the Irish lines, and that nothing of the kind took place in England.

MR. M'CARTHY DOWNING asked, what argument could be founded on the fact? If the money had been advanced, it had been repaid, and with interest. But it had been said that if the Irish lines were purchased, the English lines should be purchased also. He had the high authority of the late Prime Minister for saying that such need not be the case. "It would not," said the right hon. Gentleman, "involve the extension of the principle to England;" and again—

"The circumstances were so different that he did not feel that the judgment of Parliament would be compromised by any step that it might adopt with reference to Ireland."—[3 *Hansard*, ccxv. 1159.]

He hoped, therefore, that as the lines could be purchased on the security of every acre of Irish land, as no one could possibly suffer but Irish proprietors, who were unanimous in opinion upon the subject, that the Irish Members who were united upon the question would not be overborne by the English and Scotch Members. In what position did the present Government stand as to this matter? The Government of the late Lord Derby appointed a Commission in 1867 to value the Irish railways, and to report thereon. That inquiry cost £28,000, and further instructions were given them to report what they would be worth to a *bond fide* purchaser. A deputation of Irish Peers and Members

waited upon Lord Derby and the present Prime Minister, and a Sub-Committee was appointed to act with the deputation, which consisted of the present First Lord of the Admiralty, the Duke of Richmond, and the right hon. Member for the University of Cambridge (Mr. Spencer Walpole). He ventured to think, as he had frequently heard from hon. Gentlemen opposite, that had that Government remained in office, the Irish lines would now be the property of the State. The Irish Members were part of the United Parliament, and he therefore hoped their opinions would not be treated lightly, and that they would not be overridden by the united opinion of English and Scotch Members. Should they be, what would the people of Ireland say? "If we had our own Parliament we would not be treated in that way." The House had heard what the hon. Member for Rochester (Mr. Goldsmid) had said in his "very able speech," though for his (Mr. Downing's) part, he did not think there was much in it. He deprecated attempts being made to put off this question after the manner of the hon. Member for Rochester, who last year suggested that the whole question in the course of time would come to an end, by steam being supplanted by some other invention, and by the Irish railways being thus got rid of altogether. As an illustration of the high tariff for the carriage of goods on the Irish railways, he would state an instance. A brewer in Dublin contracted to supply the troops encamped at the Curragh of Kildare with ales; but finding that the cost of transit was 56s. a ton, and that he would not have any profit, he declined to send the ales by rail, and sent them by water and made a profit. Why was it that the railway company charged so high a price per ton for carriage? because Parliament had given a monopoly to the railway companies. The question was—were they going to continue that monopoly? He considered it was the duty of the Government to take such steps as would rectify that state of things. In 1870 Sir Charles Fox and Sons reported that the opening of 685 additional miles of railway, at an outlay of £3,500,000, would complete the Irish railway system. If the Government would not purchase the Irish railways altogether, would it be

asking them too much to consider whether it would not be wise and just to advance the people of Ireland the sum necessary to enable them to complete those lines for the construction of which Acts of Parliament had been obtained, and thus afford them an opportunity of most materially developing their resources? In conclusion, he begged to differ from those hon. Members who were in the habit of asserting that Ireland was in a prosperous condition. During the last 20 years the prosperity had decreased, her population had diminished from 8,500,000 to 5,500,000, while thousands of acres had gone out of cultivation, and her cattle trade had considerably fallen off. He hoped the Government would take a considerate view of the Motion of his hon. Friend, and not be diverted from rendering justice to Ireland by the Amendment of the hon. Member for Rochester.

SIR EARDLEY WILMOT said, he felt deeply interested in the welfare of Ireland, but he failed to see how the purchase of the Irish railways by the State could conduce to the prosperity of that country, or else he should vote in favour of that proposition. The chief reasons why this appeal was made were the alleged want of traffic and the high prices charged for traffic by the Irish railways. Traffic always would produce railways, but the converse of this—namely, that railways would produce traffic—was only true where there was a germ and nucleus of traffic to create and develop the railway system. The case of sugar had been mentioned, but everyone consumed sugar, whereas in Ireland there was no present requirement, or, at all events, very little for railway accommodation. In addition to this, were the Government to have all the patronage of the railways in their hands, a great impulse and addition would be given to that party feeling and excitement which had always been the bane and the curse of the sister country. For his part, he should be glad to see the spirit of enterprise so advanced in Ireland as to develop her traffic; but he could not see that the Resolution before the House could in any way advance her material and social interests. With regard to the alleged prosperity of Ireland, he thought that anyone who would travel through that country must see that that statement was not cor-



rect. There were vast tracts of land uncultivated, and there was also observable the absence of a middle class in the country—a class which was an element of wealth in every country. A very strong argument in favour of something being done to promote the prosperity of the Irish railways was to be found in the decrease of the passenger traffic in 1871-2 by £116,000; and if any hon. Member should ask the Government to take into consideration the proposition for the completion of unfinished railways he should be glad to support him; but in the subject now before the House the question of patronage was the rock upon which the proposal would split.

MR. KAVANAGH said, that he would not have troubled the House with any remarks on this subject, were it not for the challenge of the hon. Member for Cork County; but he hoped that as long as he had the honour of holding a seat in it he would openly express his opinions, regardless of the side upon which he sat, and that opinion was that he did not know any boon which would prove of more benefit to Ireland than that of the purchase of the Irish railways. He trusted that whatever course the Government might feel it their duty to take, they would not, by supporting the Amendment of the hon. Member for Rochester (Mr. Goldsmid), pledge themselves to a policy antagonistic to the only request that could be made of them, backed by the unanimous wish of the Irish people.

MR. JOHN GEORGE M'CARTHY said, he was glad to have heard the observations which had been just expressed by the hon. Member (Mr. Kavanagh) on the opposite side of the House. It had been said by the hon. Member for Rochester (Mr. Goldsmid) that the proposal to purchase the Irish railways would require £1,000,000,000 sterling, but it would not require any such money. The Irish railways—and the purchase it was proposed should be confined to them—were valued at from £20,000,000 to £23,000,000. They comprised about 2,000 miles of railway, and in England there were already railway companies with mileage nearly as great, capital considerably larger, and traffic immensely superior in quantity. The latest statistics he could obtain showed that there were, in 1868, 1,908 miles of railway in Ire-

land, and that these 1,908 miles were managed, not by one official, as they would be in any Continental State, but by 39 distinct corporations, having for the most part 39 distinct policies, 39 secretaries, 39 solicitors, 39 engineers, 70 auditors, and 333 directors. The practical result of this was that the lines appeared to be designed to combine the minimum of convenience with the maximum of charge, so that in a poor country like Ireland the fares were higher even than in England, and almost invariably higher than in Scotland. In Belgium the average third-class fare for 100 miles was 3s.; in Italy, 4s.; in Prussia, 6s. 6d.; and in Ireland, 8s. 4d. The charge imposed for the conveyance of the necessities of life was so high that it considerably enhanced the selling prices, and impeded trade and manufactures. As many hon. Members could testify, live stock were frequently driven along the roads in order to save the railway charges, and with a similar view goods had been shipped for England, and then reshipped to another Irish port. The rates charged were in some cases 50 or 72 per cent of the value of the produce. Moreover, the want of supplemental accommodation had been deeply felt. The late Prime Minister had admitted that it would be to the interest of Ireland that the extreme sub-division of her railways should be got rid of. The Irish shareholders were amongst the worst remunerated, for their investments, in the world, and some of the companies in that country had no dividend at all, so that extensions were altogether prevented. In Ireland there was one mile of railway for every 10,000 acres of land; but in England there was one mile for every 9,700 acres. Mr. Dargan, a high authority, had stated that State purchase of the Irish railways would effect a saving in management of £250,000 a-year. In Belgium nearly all the greater railways were under the control of the State. Independent companies had been frequently sold to the State. Passengers, there, were carried for 67 per cent less than in Ireland, and goods from 39 to 70 per cent less; while the Belgian railways paid at least 7 per cent, the profits being applied by the State mostly to the creation of a sinking fund, and it was calculated that in eight years more the accumulations would be sufficient to clear off the entire cost of



the railways. The Irish Members did not ask the House to advance any money that would not be perfectly safe. They proposed to guarantee the State against loss; and he trusted, therefore, that the able and kindly Gentleman who had lately spoken would reconsider the subject more carefully. As to the objection that great loss of time would be entailed on the House by such a purchase, that inconvenience might easily be avoided, for that might be done which was suggested on a former occasion, the system might be managed by a paid Board upon which all the patronage would devolve. So far from Government management of railways being unusual, it was the British system that was the exception. From Belgium, Prussia, and other countries where railways were in the hands of the State there were no complaints of the inconvenience, which had been spoken of by hon. Gentlemen.

MR. HERMON opposed the Motion. It had been contended that this was a purely Irish matter; but the logical deduction from the adoption of the proposal would be the purchase of the English railways, and there would be a greater inducement to purchase the latter, as the security would be so much the better. If the Irish railways had been paying concerns we should never have heard of any proposal for their purchase by Government. This was not a purely Irish question; it involved the interests of the Kingdom at large. Hon. Members opposite said they that did not wish for any class legislation. But he maintained the purchase of the Irish railways would be in reality the adoption of the system to which hon. Gentlemen themselves objected. He hoped the House would refuse to sanction the Motion of the hon. Member for Kerry (Mr. Blennerhassett.)

MR. D. DAVIES said, he had had great experience in the working of railways, and his opinion was that a poor railway was the worst security upon which a man could raise money. If, as was said, the Government could earn £100,000 more by working a railway themselves, they would certainly spend £100,000 more in doing so than would be expended by a private company. If the Government purchased the Irish railways it would not be enough that they should give the same service as was now given by the railway companies.

They would have to pay the shareholders more, while a sum of £3 per mile per week for better service would make an addition to the expenditure of £6,000 a week, or £300,000 a year. Now, the real question was, was the Government prepared to pay the people of Ireland £300,000 a year for their railways? Upon that question he was not going to offer an opinion as a matter of policy or justice; but he was not prepared to sacrifice that amount of money unless our Friends at the other side of the water would guarantee that they would then be content. If they would only be satisfied ever after, a good bargain might, perhaps, be made. As to accidents on railways, he thought our railway managers were entitled to great credit for the care they took of the public. Considering that they carried 756,000 daily, it was surprising how few the accidents were. Whatever else the Government might do, he trusted they would leave the responsibility of working the railways as much as possible with the companies. He did not complain of the present interference; but he certainly would not have the Government to interfere with the working of the lines by the companies much more than they now did.

LORD ROBERT MONTAGU said, that although he concurred in much that had fallen from the Mover and Seconder of the Amendment he did not agree in the conclusion at which they seemed to have arrived, that the Government should purchase no railway. In the time of the Irish famine a proposal for the purchase of the Irish railways was made on the Conservative side of the House and rejected by the Liberals; but the question was then a totally different one. Some of the arguments advanced by the supporters of this Motion were suicidal. It was said, for instance, that the Irish railways should be purchased by the State because they were badly managed, and because the shareholders got bad dividends; but the Irish people were perfectly able to manage their own affairs. If the Irish shareholders got bad dividends let them insist on better dividends, and if the Irish railways were badly managed let the public insist on better management. The real question, however, was, how far the State should interfere with such undertakings? At one time there was a rage for monopolies;

then it was discovered that monopolies did not consider the public good, and competition became the rule; the interests of the public, however, were still disregarded. Where a certain amount of uniformity was required, the service was taken out of the region of monopoly and competition. The State took it into its own hand. This was the case with locomotion; the State determined and restricted its three elements—the public carriage was inspected by the police, the driver had to take out a licence, and the fares were regulated by Act of Parliament. So it was with the Post Office and the Telegraphs. It was for the good of the public that the State stepped in; without that there would be the greatest confusion and irregularity. The same argument applied to railways. Take the case of the London and North-Western Railway Company, which was omnipotent, despotic, and could make the public pay what it liked. The interests of the public were put out of view. Consider, on the other hand, the advantages that would accrue from having unity of management all over England. There would be the greatest convenience in travelling; there would be a great saving of expense; and the public would have to a certain extent to be considered. At present we enjoyed neither the benefit of competition nor the benefit of unity of management—that was to say, of a monopoly. Going to certain places we had no choice of lines, and in regard to fares there existed great discrepancies. For example, one paid less to go to Edinburgh than to go to certain stations two or three hours nearer. He would be told that in regard to many places there was competition. Perhaps he would be advised, for instance, to take a ticket to Exeter. That, however, seemed to him pretty much the same as committing suicide, for one was almost certain to get his bones broken on that journey. There was some nickname the train had which he could not at the moment remember, but which meant bloodshed and slaughter to all mankind. If experience was desired of the result of want of unity in the management of the railways, he would say try to get from Carlisle to Norwich. It would be found to be impossible. We ought to have neither a damaging competition nor a damaging monopoly. There was a strong dislike expressed

to Government becoming, as it was called, traders; but in this matter Government had not done, and could not do, what was wanted. It was most undesirable to leave one of the great sources of the prosperity of this country under the control of private companies which considered nothing but their own good. The argument which applied to the Post Office and the Telegraphs was equally good in the case of the railways. What he had said was, in his opinion, true as regarded the United Kingdom generally, and his reason for recommending that attention should be confined in the meantime to the Irish railways was simply that a comparatively low sum would be required to purchase them. The capital of the English railways was £484,000,000—which would, under the Act of 1844, have to be bought at 25 years' purchase; that of the Scotch railways was £40,000,000, and that of the Irish was only £26,000,000. If the Irish railways were purchased by the State, not only would the sum required be very moderate, but there would be a positive gain to the State, for it was certain that there would be a very large increase in the amount of the dividends. There would be less rolling stock required, and a great saving would be effected in respect of the high sums at present paid to chairmen, directors, engineers, and solicitors. Mr. Graves, the late Member for Liverpool, had estimated that the saving effected would be about 25 per cent, but take it even at 10 per cent and it would still be a most desirable result. With regard to the Commission which sat in 1866, the two members of it who had most weight were in favour of the purchase of the Irish railways. The evidence given before the Commission pointed to the utter want of good management, and showed that the railway system of Ireland had not been half developed. Moreover, it was shown that, owing to the divided management, there was much clashing; and Mr. Forbes, of the London, Chatham, and Dover Railway, described the rates as prohibitory. It had been a principle in the legislation of this country for hundreds of years past that, where the object was the public good, it was proper not merely to restrict the action of trading companies, but even that the State should itself take a commercial enterprise in hand. He thought he had

shown it would be for the good of the country that the State should purchase the Irish railways, and he hoped to see the day when a similar step would be taken in regard to other railways of the United Kingdom.

MR. LEVESON-GOWER observed, that the hon. Member for Kerry (Mr. Blennerhassett) had stated his opinion that the purchase of Irish railways was a different question from that of English ones; but he (Mr. Gower) failed to observe any difference of principle that should apply to Irish railways and not to English railways also. It was true, as the hon. Member said, that in Ireland there were a number of small companies; but this was not sufficient to justify the proposal now made. It was undoubtedly an evil, and he feared that the agitation which was made in favour of the State purchase of railways rather tended to aggravate the evil, inasmuch as the shareholders in many instances thought that they could obtain better terms separately than if they were amalgamated. One of the strangest arguments urged in favour of this proposal was that if the Government were to undertake the management of these railways the accidents would diminish. This he did not believe; but, independently of that, the accidents alluded to occurred on English and not on Irish railways. Common sense would, therefore, dictate that the remedy should be applied where the evil existed, and it was difficult to conceive how the fact that there were accidents on railways in England could be used as an argument for purchasing lines in Ireland. Any Government that accepted this proposal would find itself placed in a very invidious position. Again, it had been proposed that there should be uniformity in the fares; but, as a Member of the Commission of 1866, he could testify to the fact that this was a result which it was impossible to arrive at. He should be glad to see anything done which would have the effect of encouraging the development of Irish railways; but he believed that it could not be done by adopting the proposal of the hon. Member for Kerry.

SIR MICHAEL HICKS-BEACH: A great part of the discussion of this evening, and not a little, I believe, of the speech of the hon. Member who introduced the subject (Mr. Blennerhassett), has very naturally been taken

up with the main question of the purchase of railways, rather than with the Motion actually before the House. I do not wish to deal at any length with the main question. It is sufficient for me to say that, so far as my own opinion and the opinion of the Government are concerned, we adhere to the Report of the Commission of which the hon. Gentleman who has just sat down was a Member. The question of the State purchase of railways is full of difficulties. Such a proposal is open on the one hand to the objection that if carried out through the United Kingdom, it would be an operation of such magnitude as seriously to disturb the financial interests of the country; while, on the other hand, it would involve an interference with private enterprise of an objectionable, unnecessary, and therefore impolitic kind. I need say nothing of the financial objection, after the able and exhaustive speech of the hon. Member for Rochester (Mr. Goldsmid). But on the question of interference with private enterprise, it has been assumed by some of the speakers this evening that the State need not hesitate to purchase the railways, because it has already undertaken work connected with the Post Office and the Electric Telegraphs. Now, I can see no reason for placing railways on the same footing as the Post Office and Electric Telegraphs. If a Government is to go beyond the duty of governing, and to take to trading, it may just as well engage in any other pursuit as in the management of railways. It might undertake the management of docks, the manufacture of cotton, or the regulation of the trade which we heard discussed last night, and which is admitted in its abuse to cause so much misery in this country. But if the Government should not undertake the management of these things, then it appears to me that railways might, together with them, as well be left to private enterprise under proper regulations. But it has been alleged that, although the House has not upon this occasion been asked to apply this principle to the whole of the railways of the United Kingdom, the Government may fairly undertake this liability in respect to Ireland, on account of the exceptional circumstances of that country. I do not, however, think it is possible to consider the case of Ireland apart from that of the whole United



Kingdom. If the principle were once granted in the case of Ireland, the extension of it to other parts of the United Kingdom would certainly be demanded sooner or later. But, supposing this not to be the case, what special reasons are there why the Government should undertake this matter for Ireland and not for other portions of the United Kingdom? It has been stated that the Irish railways are in a depreciated condition; but whatever their condition may be at present, it has been steadily improving for some years past, so much so that the shareholders of many lines are now perfectly content with their position, and do not wish their lines to be purchased by the Government on any terms. Again, though the shareholders of other railways may, to outsiders, appear to be bankrupt, yet they seem to have a very sanguine idea as to the future prospect of their undertakings. I think it necessarily follows, therefore, that if the Government were to attempt the purchase of the Irish railways, a very high price would be demanded for them by the shareholders. 10 or 15 per cent beyond the market value has been spoken of; and this would not be all: for when the purchase had been made, it would, of course, be necessary that the Government should spend a sum of money in improving the permanent way, adding to the rolling stock, reducing the fares, and other matters which may tend to make the railways more available for traffic. Taking all these considerations together, the price which the Government would have to pay for the Irish railways would be far beyond their real market value. Then, when that price had been paid, what ground have we for expecting that any possible extension of business would recoup the Government for its expenditure? Ireland is not—and I am afraid is not likely to become—a manufacturing country. I could refer to many parts of England and Scotland of a character similar to that of Ireland, where the traffic does not increase, in spite of the reduction of fares, in that ratio, which would lead us to expect in Ireland any large increase. Therefore, I think it is not possible that for some years to come we could expect anything but a serious loss if we purchase the Irish railways. Then comes the question, how that loss is to be borne. The Members for Ireland who spoke this evening said they did not

propose to ask the Imperial Legislature to bear the loss. They have one and all supported this proposal, irrespective of creed and party; but I have been unable to discover what is the exact nature of the proposition which they would recommend us to adopt. From what source are these funds to be derived which would unquestionably be required to carry out this undertaking? Are they to be derived from rates or taxes on Irish income or property? If so, are those rates or taxes to be levied on the whole of Ireland? Is Kildare to pay the deficiency of the county of Mayo? Is Mayo to pay the deficiency in the case of its own railways, and can it afford to do so? Is the whole of Ireland to pay for a deficiency which would mainly occur in the less thickly populated districts? If the railways are to be under Government management is it so certain that this burden will be willingly borne? Are not hon. Members for Ireland likely to come down to this House and say—"You are taxing us to make up a deficiency in the receipts of our railways; but that deficiency is, in our opinion, due to your own management. We, therefore, contend that you have no right to tax us." Well, then, from what source would it probably be urged that the deficiency should be supplied? Very likely, as in other instances, from the Imperial Exchequer. But that is not the whole question. What about future extensions? The purchase of the telegraphs serves, I think, as a very useful lesson in these matters. That transaction has been so recently concluded that I scarcely deem it right to found any general argument upon it. This, however, we have clearly before us, that the hon. Member for Mayo (Mr. Tighe) the other evening requested the Postmaster General to insure that a certain district in Ireland, now 40 miles from a telegraph and not containing a town or village of 1,000 inhabitants, should have the advantage of telegraphic communication extended to it. I pass no opinion on that request. The cost of telegraphs is comparatively small, and so also may be said to be their use, in comparison with railways. But if such requests are made in reference to telegraphic communication, will not many such requests be likely to be made to the Minister who may be responsible for Irish railway extension? If so, from

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what sources are the funds to be provided? Are you to tax Ireland afresh for every extension that may be demanded by some remote parts of it? These are the difficulties which I confess seem to me to require to be met by hon. Members for Ireland who ask the House to assent to their proposal. But there is another difficulty. How are these railways to be managed? I do not wish to dilate on a point into which the hon. Member for Rochester and others so fully entered. I must confess, however, as the representative of the Irish Government in this House, that I have no wish to see increased patronage in the hands of the Government. We might, in accordance with modern custom, delegate to the Civil Service Commissioners the responsibility which in former days fell on the Minister. Still, there will be persons to be appointed to offices on railways whose appointments cannot be made on the result of an examination. There will, too, be contracts to be given, stores to be bought, expenditure of every kind to be incurred, and there may, I fear, be no limit to the mischief which might arise from vesting in the Government powers and responsibilities of this kind. On a former occasion the late Prime Minister said that he would on no account recommend that the Government should take the management of railways; but I have seen it suggested that they should be leased out to companies who would manage them. Now, that appears to me to be a plan which is open to great objection, and which possesses very few of the advantages of management by a central government authority. You would under such a system have lessees who, instead of having a permanent interest in the railways under their management, would have a merely temporary and partial interest, and would therefore be less inclined than the present companies to risk an immediate loss by the reduction of fares, or by improvements in working for the sake of a future profit. If the Government, as owners, wished to control such lessees in their freedom of action, I fear they would not have many bids for their leases. If the leases were taken on conditions framed for the benefit of the public rather than of the lessees a loss might result which must eventually be borne by the Government, because it is impossible that lessees

could be compelled to work any railway at a loss. I think, therefore, that is a plan which will not command any very large amount of assent. The point, however, to which I wish principally to direct the attention of the House is this. Certain evils are alleged to exist in the present condition of railways in Ireland, and we are told that they are to be remedied by means of Government management. Now, I should like to know whether those who say so have considered all the existing remedies for the evils to which they refer. The first evil complained of is costly and inefficient management. We have heard a good deal this evening on that subject; but there are many railways in England, which could be named, which at one period of their history were managed in a way equally costly and equally inefficient. I may perhaps also be permitted to allude to one of the Irish lines—the Midland Great Western. That line was once at as low an ebb as has ever perhaps been reached by any railway company. In 1865 it was deeply in debt, and hardly able to borrow money at a high rate of interest; while it paid dividends not out of its earnings, carried traffic at prohibitory rates, and kept its permanent way in a state anything but satisfactory to the public. What happened? The shareholders saw how their business was being managed. They turned out the directors and selected as their chairman Sir Ralph Cusack. Under his management the finances of the company have greatly improved. The fares have been lowered, market traffic has been encouraged, and the whole concern has been placed in a flourishing condition. At the present moment I am informed their £100 shares have risen from 52 to 85½, and they have been able to place £450,000 debentures at 4½ per cent, while their Five per Cent preference shares have risen from 98 to 112. If the Midland Great Western can do this I am sure other Irishmen can do what Sir Ralph Cusack has done, and what has also been done by many Englishmen. But it is stated that not only has the management of Irish railways been bad, but great difficulties have been thrown in the way of amalgamation. I find from Lord Emly's Report, as one of the Railway Commission in 1867, that at that date, 1838 miles of railway in Ireland were worked by 35 companies, and I am informed that at



present 2,049 miles are, under leases or working arrangements, worked by 19 companies. That shows no inconsiderable progress in seven years in the matter of amalgamation. I do not hold up amalgamation as the sole remedy for the present unfavourable condition of Irish railways. As has been remarked by the noble Lord the Member for Westmeath (Lord Robert Montagu) over-amalgamation may lead to monopoly; still the amalgamation of certain of the railways in Ireland may lead to great advantage. There are four Irish railways which have carried out the principle of amalgamation successfully. Thus the Great Southern and Western of Ireland have obtained control over 445 miles of line; the Midland Great Western over 375 miles; the Irish North-Western over 212 miles; and the Waterford and Limerick over 208 miles. I must mention with reference to the latter company that there is no case in Ireland in which amalgamation is being so successfully carried out as by them. With the assistance of the Great Western of England, the Waterford and Limerick Railway have recently absorbed or made working arrangements with six other companies, and in conjunction with these it supplies a route from the West and South of Ireland *via* Waterford to England in competition with that supplied by the Great Southern and Western of Ireland *via* Dublin. Since it has been alleged that the want of access to markets for their fish has been a source of difficulty to the Irish fishermen, I may state that one of the directors of the Great Western of England informed me the other day that within one week no less than 1,200 tons of fish were brought from Ireland and carried *via* Milford Haven to the consuming parts of the Black Country, and that arrangements were now being made which would accelerate the delivery of fish in Birmingham by 24 hours, and thus obviate the present necessity for packing the fish in ice. I have stated this to show what improvements in railway communication may be made by Irishmen themselves, or by Irishmen in concert with Englishmen, without any aid from the State. Parliament might beneficially lend its assistance in promoting amalgamation, and possibly facilities might be given by Government, by which it might be rendered easier and cheaper than at

present. Both this question, and also the suggestion, whether some provision compelling amalgamation might not be introduced into every private Railway Bill brought before Parliament, require very careful consideration. Complaints are, however, made on other points. Thus it is said that the high rates charged on the Irish railways discourage traffic; that there is a great want of facilities for interchange of traffic; that undue preference is occasionally given; and that other evils of a similar kind exist which interfere with the commerce of the country. Upon these points I must remind the House of an allusion already made by the hon. Member for Rochester (Mr. Goldsmid) to the Railway Regulation Act which was passed last Session. That Act gives the public every possible power to deal with defaulting railway companies. Under its clauses a private individual may, through the Railway Commissioners, compel a railway company to give all proper facilities for interchange of traffic with other companies, and to forward himself or his goods at fair rates and with no unnecessary delay. The cost of such a proceeding is by no means considerable. I have been informed that the cost of the case of *Goddard v. the London and South Western Railway Company*, recently heard by the Railway Commissioners, in which the decision was given in favour of the plaintiff, was only £3 11s. 6d. But if any one is unwilling to incur that cost, he may, through the corporation of his borough, or through any other body exercising public powers, appeal to the Railway Commissioners against the offending railway company; and if the railway company decline to carry out the decision of the Railway Commissioners they will be liable to a penalty of £200 a day. I do not know whether the provisions of that Act are widely known in Ireland; but it is strange that, as I was informed the other day, there has only been one appeal, and that of an unimportant nature, brought before the Railway Commissioners, from Ireland, and that in spite of the grievances which it is now alleged exist. I do not know whether Irishmen are like Englishmen in this respect—that they sometimes grumble without much cause. It ought, however, to be widely known in Ireland that such means,

*Sir Michael Hicks-Beach*

as those to which I have referred, do exist, by which remedies may be obtained for real grievances, and I think those who complain ought to be told to put the means which the law gives them into force before they come to this House to ask for further remedies. But no doubt it may be said that, after all, this is not sufficient—that there may be cases, and, indeed, that there are cases, where the railway companies merely from want of funds cannot be reached by the Railway Commissioners—and that an insolvent company, in spite of all that may be required of it, cannot lower its fares, provide proper rolling stock for the interchange of traffic, nor keep its permanent way in proper order. It was evidently to meet such cases as these that a suggestion was thrown out last year by the right hon. Gentleman the late Prime Minister to the effect that Irish railway companies should first agree upon some reasonable principle of amalgamation, and should arrange among themselves for the interchange of traffic, and that then, as if in return for changes to be made by them for the better service of the public, loans should be granted to them by the State upon terms which should place them in a better financial position. Such a suggestion coming from so high an authority deserves more careful consideration than either I or the Government have as yet been able to give it, and I am anxious not to express any decided opinion as to whether anything can be done in that direction or not. But there are objections to the proposal which occur to me upon the spur of the moment. There are railway companies in Ireland which are very prosperous, and which would not accept your loans upon the terms suggested; and there are other companies which are by no means prosperous, owing either to their own mismanagement or to their having turned out unfortunate financial speculations. Is it right, having a proper regard for private enterprise, for the State to assist companies as a reward for bad management in order to enable them to compete, upon more advantageous terms, with better managed companies? If so, upon what terms is the money to be lent, and how do you propose to enforce those terms? Are you going to exercise the same control, or anything like the same control, over Irish railways as is ex-

ercised over Indian railways by the State? I believe that if that course were adopted, the Irish railways would be the first to complain; because, whereas in India the State guarantees the interest upon the whole of the capital invested, with regard to the Irish railways the guarantee would only extend to the debenture capital. But even if the Irish companies were to agree that a considerable amount of control should be exercised over their affairs by the State, I should still think that the proposal was open to very serious objection indeed. If there is one thing which strikes Englishmen who have to deal with Irish matters more than another, it is that, whereas in England we have something like a dread of Government interference, in Ireland that interference—if not exactly courted—seems at any rate to be always expected. It would, in my opinion, be a retrograde policy if anything was done, either by Parliament or by the Government, that would tend to further centralization. The management of the Irish railways, whether bad or good, is, at any rate, in the hands of those locally interested in them; and I am surprised when I find hon. Members who declare themselves to be in favour of giving to Irishmen the management of all their affairs coming down to this House and asking the central Government to take away from Irishmen that control over important matters in their own country which they already possess. That, to my mind, is a policy which may answer well enough in India, although, even there, we are now by degrees encouraging and leading the Natives of that country in the direction of self-government; but that policy applied to Ireland would be a retrograde and, I believe, a most mischievous one. And I may say on my own behalf and on the part of the Government that, whatever help may be given to the Irish railways under special circumstances, and whatever may be done to promote the development of Irish commerce, the management of these matters had better be left as it is now, in Irish hands, and not placed in those of the Government. With regard to the course which we intend to pursue with respect to this Motion, I should wish to point out to the hon. Member for Rochester (Mr. Goldsmid) that we have before the House a distinct Motion by the hon. Member for Kerry (Mr. Blen-

nerhassett), to which, for the reasons I have stated, the Government are not prepared to accede, but that perhaps the House would not wish to commit itself to all the propositions advanced by the hon. Member's Amendment. It seems to me, therefore, that it would be preferable for the division to be taken on the Motion of the hon. Member for Kerry, rather than on the Amendment of the hon. Member for Rochester. With regard to the future, I assure the House and especially hon. Members from Ireland, that the points to which I have referred shall receive our most careful consideration, with every wish and endeavour to promote what we believe to be the true interests of that country.

THE MARQUESS OF HARTINGTON: I hope that the hon. Members who moved and seconded the Resolution before the House (Mr. Blennerhassett and Mr. Ormsby Gore), as well as those who have taken objections to it, and the speakers who have followed them, will forgive me for saying that by far the most important speech which we have heard this evening is the one just delivered by my right hon. Friend the Chief Secretary for Ireland, who, in the name of the Government, has clearly and distinctly expressed their decision not to interfere at present in the matter of the purchase of the Irish railways. This is a matter with which the Government, and the Government alone, is competent to deal; for it must be obvious to every Member of this House that an undertaking such as that proposed in the purchase of the Irish railways can only be successfully taken up and supported by the Government; and the passing of a Resolution such as this would only impede their operations if they were disposed to deal with the question, for it would at once give rise to unreasonable and unwarrantable demands upon them. Neither party in this House has approached this question in any unfriendly spirit. The previous Government of hon. Gentlemen opposite certainly did not approach it in an unfriendly spirit by appointing a Royal Commission to inquire into the condition of the Irish railways, with instructions so worded as almost to show that if a case could be made out at all in favour of the purchase of the Irish railways, the Government would be ready to consider it. Certainly the late Government also ap-

proached the question in an equally willing spirit. I know that my right hon. Friend at the head of the late Government would have been exceedingly glad if he could have seen his way, by any interference of the Government, to remove the evils of Irish railway management; and, speaking for myself personally, I may, perhaps say, I approached the subject with a desire still more keen than most of my Colleagues that we might see our way to meet the wishes of a large number of Irish people. Perhaps I ought even to plead guilty of the charge that by too open a statement of my own views on the subject I may have raised hopes which I was not able to fulfil. But certainly I did think that in a country like Ireland, whose industrial resources are not so fully developed as those of England, private enterprise could not be expected to do in regard to railway management all that it has done here. I certainly did think that some reparation might be due to Ireland for having sanctioned a system of railways there that did not give the country the fullest advantages which it is entitled to enjoy, and that it was possible, at all events, if the Government undertook to work the railways in a liberal and enterprising spirit, that although some loss at first might ensue, it was not necessary that that loss should be a permanent one. Holding personally these views, although the Government to which I belonged came to the conclusion that the difficulties in the way of this undertaking were absolutely insuperable, I certainly should not have been prevented by any abstract arguments urged by the hon. Member for Rochester (Mr. Goldsmid), or by other speakers in this debate, from giving the fullest and most candid consideration to any scheme which the Government might have thought fit to lay before the House, if they had arrived at a view different from that of the late Government. Judging, however, from the speech of the right hon. Gentleman who has just sat down, the Government have, as advised at present, arrived at the same conclusion as we did, and I do not think it would be fair in me to attempt to gain any popularity in Ireland by holding out now any hope of support from this side of the House to a proposition to which, when we were in office, we were unable to give our assent. Well, the only purpose for which I have risen to-night is



to urge on hon. Gentlemen who represent Irish constituencies which take a deep interest in this question, whether it is worth while to persevere any further in this proposal. The late Government, supported by a very large majority, came to the conclusion that the proposition was inadmissible. The present Government, supported by an equally large majority of their party, have arrived at a similar conclusion. Therefore, I would ask hon. Members from Ireland, what prospect they have of carrying out that undertaking on which they have set their hearts? I do not know whether it is to be made in future an article in the indictment against England to justify the demand for "Home Rule." But, looking at the question not from any political point of view, but simply as a practical question, affecting the material interests of Ireland, I would invite those hon. Members to consider what practical advantage to their country they expect from the further agitation of this subject. It must be evident that, unless they can hope for ultimate success, the further agitation of this subject can do nothing but mischief. It is not to be expected that the railway companies will take the steps they should take to improve the management of their lines; it is not to be expected that rolling stock will be maintained in proper order; that extensions and repairs of lines will be made if there is any lurking hope kept up in the minds of the shareholders that ultimately their property will be purchased by the Government. It is not to be expected that the process so much insisted upon by my right hon. Friend the Chief Secretary, and referred to by other speakers, will be pressed forward, as it might be, while this question is kept alive. My right hon. Friend, without giving any direct encouragement, did not, I am glad to say, absolutely shut the door on the part of the Government to the consideration of the suggestion made by my right hon. Friend at the head of the late Government, as to assisting Irish railway companies if they were disposed to amalgamate and offer the public certain advantages. The right hon. Gentleman the Chief Secretary saw considerable objection to giving such assistance, and I do not deny that there might be objections to doing it. The instance he quoted, in which something has already been done in the matter of amalgamation and im-

proved management, was the case of the Waterford and Limerick Railway. I believe that there have been great improvements effected in the South of Ireland by the agency of that railway. But my right hon. Friend stated, and with perfect truth, that these amalgamations and improvements have been effected by the assistance of the Great Western Company of England. Now, it may not happen that in all cases a powerful English company will be found to lend assistance, as has been done in that instance; and I believe we shall be warranted in saying that without the help of the powerful English company to which I have referred, these improvements would not have been carried out in the South of Ireland. I think that example justified my right hon. Friend (Mr. Gladstone) in making the proposition that the Government might, if necessary, on receiving reasonable propositions from the Irish railway companies, render to other Irish railway companies that sort of assistance and support which was rendered to the Waterford and Limerick and other lines by the great English company already named. But as long as this agitation is continued, as long as the Irish railway companies think there is any chance of their property being purchased by the State, these amalgamations will not go on at the rate at which they otherwise might. There is only one other reason that I venture to place before the House, which has in some degree changed the opinion I held on this subject. There can be no doubt that the feeling on this matter in Ireland has very much diminished in strength during the last few years. After the very decided objection taken to the proposition last year by my right hon. Friend, then at the head of the Government, one might have supposed that, if the feeling were as strong as it was represented to be, a great deal of agitation would have arisen in Ireland on the subject. But, on the contrary, the announcement made by my right hon. Friend last year was received with the greatest equanimity throughout Ireland. I do not mean to say that weight ought to be given to violent or unreasonable agitation; but the inference I am inclined to draw is that the agitation on this question has never been a very real one as proceeding from the Irish people. I am disposed rather to think that the movement has originated, in a

very great degree, not from the Irish people, but from the Irish railway shareholders; and I attribute its present diminution to the improved condition of the Irish railways. Although many of those railways are not now in a satisfactory position, still the dividends are much better than they were; and the inducement to agitate in order that the Government may relieve the shareholders of an unprofitable property is consequently diminished. In my opinion it was never the wish of any party in this House to relieve Irish shareholders of an unproductive property. If the subject has—as it certainly has—been favourably considered in this House, it was because it was thought that this was ardently desired, not by Irish shareholders, but by the Irish public, and because it was supposed that great improvements might be made in the Irish railways. It must, however, now be evident that, rightly or wrongly, the vast majority of this House are resolved against the acquisition of the Irish railways by the State, and I can only hope that hon. Members from Ireland will accept that fact as a fact, and devote the energy they have hitherto employed in the agitation of this question to the numerous other modes in which they may, by working upon the Boards of the Irish railway companies, or otherwise, promote the prosperity and improvement of that country.

MR. BUTT said, that after the able speech of his hon. Friend who had introduced the Motion (Mr. Blennerhassett), he should not have thought it necessary to address the House; but some statements had been made which seemed to require a few remarks. The noble Marquess who had just addressed the House (the Marquess of Hartington) had observed that there had been no agitation in Ireland on this question, from which it must be inferred that in order to obtain any boon for that country there must be agitation. The opinion which had been quietly expressed by the people of Ireland in many directions was a far greater expression than any noisy agitation. This question was not a new one. It had first been mooted in 1864. In 1865, on the provision in the Act of 1844, empowering the State to purchase railways at the end of 21 years, coming into force in Ireland, a Commission of Inquiry was appointed. Lord Emly then proposed the purchase

*The Marquess of Hartington*

of Irish railways by the State, but withdrew the Motion on an assurance that the existing Government would fully consider the matter. Afterwards, on the representation of Irish Members that Ireland was not sufficiently represented on that Commission, other Irish Representatives were placed upon it, including Lord Donoughmore, who unfortunately died soon after. The Commission reported against State purchase, Sir Rowland Hill and Lord Emly being dissentients. In 1867 the late Lord Derby's Government appointed a second Commission, which reported that any loss that might arise from the reduction of fares would be made up in 11 years, and that as clearly provided for the purchase of the railways as any words could do. Now, if that step necessitated a contribution from the Imperial Exchequer for the good of Ireland, it was rather inconsistent to say that for all purposes the Three Kingdoms were united, and yet to tell the Irish they must bear the expense themselves. The Belfast Chamber of Commerce, however, as well as various public meetings, and every Irish witness examined by the Commission, had expressed the readiness of Ireland to bear any temporary loss. He was surprised, therefore, to hear the statements which had been made that night, which appeared to him to be mere evasions of the real point at issue by the House and by the Government. It was not for a private Member to devise a scheme for this purpose, and it was trifling with the question to ask whether the loss should be borne by particular counties. It was for the Government to arrange the details. The powers of the railway companies were now used to prejudice Irish trade. Goods could be conveyed from Liverpool to Limerick for 20s., while from Dublin to Limerick the rate was 27s. 6d., and there were innumerable instances of this system. As to taunts respecting Home Rule, his duty was to use existing machinery as he best could for his country. He might believe Irishmen would manage their affairs better; but this did not preclude him from supporting measures which would benefit his country. The Chief Secretary held up the present system as a barrier to reform when he represented a measure which would intrust power to an English Administration as a betrayal of nationality. He himself might as well say that Irish Members thereby



evinced their confident expectation within a few years of obtaining an Irish Parliament. The real issue was between unity of management and that of companies with a various policy; and if Ireland took the risk of loss she might fairly claim an Irish Railway Board. A large share of the management was now vested in English shareholders, the best managed lines being those under the exclusive direction of Irishmen, while the companies which scandalously mis-managed comprised English shareholders. The trade of Ireland required a system of management which might entail a temporary loss, and this neither English nor Irish directors could be expected to incur. The Government ought not to shut the door to this demand, though it was not backed by monster meetings, which it was absurd to expect on such a question. In 1868 the Peers and Commoners of Ireland united in a declaration, stating that if in the 11 years which might be required to make the Irish railways pay their own way, there should be any loss that should be met out of Irish resources, and that nothing would be more easy than to raise the money by a tax upon Irish property, which would be improved in value by the proposed change. That declaration was signed by 72 Irish Peers, and by 90 Irish Members of that House out of 105; and as four of these Members were also Members of the then Government, it could not be expected that they would sign it. He said that he never knew of such unanimity upon an Irish question. [*A laugh.*] He knew that there was some dissent; but the declaration he referred to was a proof that Ireland was represented by 72 Peers, and he might say 97 Commoners were prepared to accept the pecuniary responsibility of the measure they recommended—namely, that the Irish railways should be placed under a general Board of Management, with a view to reduce expenses, and to the introduction of a general and uniform tariff for goods and passengers, which would have greatly augmented the traffic and promoted the welfare and prosperity of Ireland. He contended that, when Ireland was prepared to tax her own resources to guard against any possibility of loss to the Imperial Exchequer, the House of Commons ought to be slow to reject a proposal like the present.

MR. CONOLLY said, he had heard

with great satisfaction the excellent speeches of the Chief Secretary for Ireland and the noble Marquess opposite (the Marquess of Hartington). He had come from Ireland on purpose to oppose a Motion which he regarded as nothing less than a gigantic job. It was little to the credit of Ireland that 79 Peers and 90 Members of Parliament had found it consistent with their self-respect to ask the House, in an abject and menial form, to help them to pay their railway fares. For his part, rather than sign such a document, he would have thrust his hand into the fire. He could conceive no greater disgrace to any set of men than that they should ask the House of Commons to apply the national resources to their private ends. He trusted the proposition would be scouted by hon. Members on both sides of the House. Why could not Irishmen show that they could manage their own affairs rather than call upon the Government to interfere in their behalf whenever they found that they could not make both ends meet? To put the railways upon sound commercial principles was an object worthy of the House, but that could not be done by Government interference. He believed that he would give his vote on that occasion in opposition to every other Irish Member; but he was prepared to do so, and to justify it when the proposition came before his constituents. The agitation, in fact, came from the higher classes, who ought to be ashamed of themselves for having set it on foot. The lower classes had taken no part in it. The examples of France and Belgium, where Government management was applied, showed the case. A hard-and-fast line was drawn with respect to fares and charges, which bore heavily upon trade, and Mr. Allport, the spirited manager of the Midland Railway, would tell them that any such hard-and-fast line in this country would be fatal to its prosperity. On the Midland, where commercial principles prevailed, no less than 9,000 different rates were made for the special cases of the different trades. This consideration was unknown where railways were under Government management. The decision of the House would be received by all honest men in Ireland, and by all those interested in the good and solvent lines, with the greatest satisfaction, and by those interested in the bankrupt and insolvent lines, with the greatest humiliation.

MR. O'GORMAN said, as it was his intention to vote against the Motion of the hon. Member for Kerry (Mr. Blennerhassett), for whom he entertained the highest respect, it was expedient that he should explain the reasons for his hostility. At the present moment it was a consolation to know that Irish people were employed upon the Irish railways; but it was not necessary for him to be a Helenus, or to change his sex and become a Cassandra, in order to prophesy that, if ever the Irish railways were delivered over to the English Government, three weeks would not elapse before every Irishman employed on them would be sent about his business, and every man, from chief superintendent to lowest porter, would be superseded by an Englishman. The officers would be told to go to America with a vengeance—or to “Hell or Connaught.”

MR. SPEAKER: I must remind the hon. Member that his language exceeds the licence of Parliamentary debate.

MR. O'GORMAN said, he did not think his language was worse than that of the hon. Member opposite who called the right hon. Member for Greenwich (Mr. Gladstone) a “trickster.” The language he (Mr. O'Gorman) had used was perfectly well known; it was perfectly historical; it was used by a man who took the mace from off the Table of the House; but of course he would with pleasure beg pardon if he had gone beyond the Rules. If the English Government were allowed to tamper with Irish railways, Irish railways were at an end. The only disgracefully mismanaged railways were those that had English connections; those that had only Irish connections were fortunate and respectable. The moral he deduced from that was, “Keep Englishmen away and you will be respectable;” and that was all he wanted to do. He would relate a story as to the mode in which England treated Ireland. A certain Lord Lieutenant—as to whose name it did not matter—was out riding a horse in Phoenix Park in company with a man well known for his wit, scholarship, and patriotism, who had represented Knocktopher for 40 years in the Irish Parliament, the late Sir Hercules Langrishe. The horse stumbled in a boggy part and threw his Excellency, who fell on his ears, but being an Irish horse it threw him back

again. His Excellency said—“Sir Hercules, How is it they have not drained the Park?” “I suppose,” said Sir Hercules, “they are so deeply interested in draining the rest of the country that they have not got to this yet.” As an Irishman, bound to do all he could to keep Englishmen out of Ireland, he was compelled to vote against the Motion.

MR. GOLDSMID said, that, in accordance with the suggestion of the right hon. Baronet opposite (Sir Michael Hicks-Beach), he was perfectly prepared to withdraw his Amendment, and take the division on the proposal of the hon. Member for Kerry. [*Cries of “No, no!”*]

MR. SPEAKER asked whether it was the pleasure of the House to permit the hon. Member for Rochester to withdraw his Amendment? and there being cries of “No!”

MR. SPEAKER put the Question, “That the words proposed to be left out stand part of the Question.”

The House *divided*:—Ayes 56; Noes 241: Majority 185.

MR. SPEAKER: I must point out to the House the position of the Question at the present moment. The House, by its recent vote, has declared that the words proposed by the hon. Member for Kerry (Mr. Blennerhassett) shall not stand part of the Question. The only word, consequently, which stands part of the Question at the present moment is the word “That.” If the House desires either to affirm or to negative the proposition of the hon. Member for Rochester (Mr. Goldsmid) the proper course would be to allow those words of the hon. Member for Rochester to be added to the Question, and that the House should then take such a course as it thinks proper with regard to the Main Question so amended.

MR. O'REILLY, while bowing to the Speaker's decision, thought that on a previous occasion a different course was pursued.

MR. BUTT apprehended it to be quite in Order to negative the Amendment of the hon. Member for Rochester (Mr. Goldsmid), it being competent to any Member to propose the insertion of an entirely different set of words after “that.” He had understood from the right hon. Baronet (Sir Michael Hicks-Beach) that the Government were not prepared to support the Amendment,

and if it was to be negatived it was immaterial at what stage the division was taken.

SIR MICHAEL HICKS - BEACH explained that he had said it would be more convenient if the hon. Member for Rochester withdrew his Amendment, and if the House divided on the original Resolution. Some few Members having, however, objected to that withdrawal, they had better proceed to a division.

MR. O'REILLY asked whether, if the words were added, the Question would then be put as a substantive Question?

MR. SPEAKER: I may state that it has sometimes happened that the House has negatived the proposal that the words proposed to be added should stand part of the Question; but the effect of that vote is that an entry is made upon our Journals that the word "that" is the only word which remains. To avoid that inconvenience, therefore, I would submit to the House that the more convenient course would be to allow the words to be added, and then to vote the affirmative or negative upon the Main Question.

MR. DISRAELI: To prevent any unnecessary confusion, I only wish to say that while I should have preferred voting on the original issue, I shall now, after the course that has been taken, support the Amendment of the hon. Member for Rochester (Mr. Goldsmid).

Then Motion amended by adding the words—

"the purchase of the Irish Railways by the State would be financially inexpedient, would unduly enlarge the patronage of the Government, and seriously increase the pressure of business in Parliament."

Main Question, as amended, put.

The House *divided*:—Ayes 235; Noes 59: Majority 176.

*Resolved*, That the purchase of the Irish Railways by the State would be financially inexpedient, would unduly enlarge the patronage of the Government, and seriously increase the pressure of business in Parliament.

#### AYES.

Adderley, rt. hn. Sir C.	Bailey, Sir J. R.
Allsopp, S. C.	Ball, rt hon. J. T.
Anstruther, Sir W.	Barclay, J. W.
Arkwright, A. P.	Barrington, Viscount
Arkwright, F.	Bassett, F.
Assheton, R.	Bates, E.
Backhouse, E.	Baxter, rt. hon. W. E.
Baggallay, Sir R.	Beach, rt. hn. Sir M. H.
Bagge, Sir W.	Beach, W. W. B.

Bell, I. L.	Gordon, rt. hon. E. S.
Benyon, R.	Gordon, W.
Beresford, Colonel M.	Gower, hon. E. F. L.
Biddulph, M.	Grantham, W.
Boord, T. W.	Gregory, G. B.
Bourke, hon. R.	Grey, Earl de
Bourne, Colonel	Grieve, J. J.
Briggs, W. E.	Gurney, rt. hon. R.
Brise, Colonel R.	Hall, A. W.
Broadley, W. H. H.	Halsey, T. F.
Bruce, hon. T.	Hamilton, Lord G.
Brymer, W. E.	Hamond, C. F.
Bulwer, J. R.	Hankey, T.
Burt, T.	Hardy, rt. hon. G.
Callender, W. R.	Havelock, Sir H.
Cameron, C.	Henley, rt. hon. J. W.
Cameron, D.	Hermon, E.
Campbell, C.	Hervey, Lord F.
Cartwright, F.	Heygate, W. U.
Cave, rt. hon. S.	Hill, A. S.
Cecil, Lord E. H. B. G.	Hill, T. R.
Chapman, J.	Hodgson, W. N.
Charley, W. T.	Hogg, J. M.
Cholmeley, Sir H.	Holford, J. P. G.
Christie, W. L.	Holker, J.
Clarke, J. C.	Holland, S.
Clifford, C. C.	Holms, W.
Clifton, T. H.	Holt, J. M.
Clowes, S. W.	Home, Captain
Cochrane, A. D. W. R. B.	Hopwood, C. H.
Cole, H. T.	Huddleston, J. W.
Conolly, T.	Isaac, S.
Corbett, J.	Jackson, H. M.
Cordes, T.	James, W. H.
Corry, J. P.	Jenkins, D. J.
Cotes, C. C.	Johnson, J. G.
Cowper, hon. H. F.	Johnstone, H.
Cross, J. K.	Jolliffe, hon. Captain
Cross, rt. hon. R. A.	Jones, J.
Cuninghame, Sir W.	Kingscote, Colonel
Cust, H. C.	Knight, F. W.
Dalkeith, Earl of	Knowles, T.
Dalrymple, C.	Laird, J.
Damer, Capt. Dawson-	Learmonth, A.
Davenport, W. B.	Lee, Major V.
Davies, D.	Leeman, G.
Davies, R.	Legard, Sir C.
Denison, W. E.	Legh, W. J.
Dillwyn, L. L.	Lennox, Lord H. G.
Disraeli, rt. hon. B.	Lindsay, Lord
Dowdeswell, W. E.	Lloyd, M.
Duff, M. E. G.	Lloyd, S.
Dyke, W. H.	Lloyd, T. E.
Eaton, H. W.	Lopes, H. C.
Edmonstone, Admiral	Lopes, Sir M.
Sir W.	Lowther, J.
Edwards, H.	Macduff, Viscount
Egerton, hon. A. F.	Macgregor, D.
Elliot, Admiral	Mackintosh, C. F.
Emlyn, Viscount	M'Lagan, P.
Estcourt, G. B.	M'Laren, D.
Evans, T. W.	Mahon, Viscount
Fielden, J.	Maitland, J.
Fitzmaurice, Lord E.	Majendie, L. A.
Fitzwilliam, hon. C.	Makins, Colonel
W. W.	March, Earl of
Folkestone, Viscount	Marten, A. G.
Forsyth, W.	Mellor, T. W.
Foster, W. H.	Mills, Sir C. H.
Gardner, J. T. Agg-	Monckton, hon. G.
Gardner, Richardson-	Monk, C. J.
Garnier, J. C.	Montgomerie, R.
Goldsmid, Sir F.	Muntz, P. H.

Mure, Colonel	Shaw, R.
Naghten, A. R.	Shute, General
Nevill, C. W.	Sidebottom, T. H.
Newport, Viscount	Simonds, W. B.
Noel, E.	Smith, A.
Northcote, rt. hon. Sir	Smith, F. C.
S. H.	Smith, S. G.
O'Gorman, P.	Smith, W. H.
Onslow, D.	Smollett, P. B.
Palmer, C. M.	Somerset, Lord H. R. C.
Parker, Lt.-Col. W.	Stanhope, hon. E.
Pease, J. W.	Stanhope, W. T. W. S.
Peel, A. W.	Stanley, hon. F.
Pelly, Sir H. C.	Steere, L.
Peploe, Major	Stewart, M. J.
Phipps, P.	Storer, G.
Plunkett, hon. R.	Talbot, C. R. M.
Polhill-Turner, Capt.	Trevelyan, G. O.
Price, Captain	Turner, C.
Raikes, H. C.	Twells, P.
Rashleigh, Sir C.	Wait, W. K.
Read, C. S.	Walker, T. E.
Reid, R.	Waterhouse, S.
Rendlesham, Lord	Whalley, G. H.
Repton, G. W.	Wheelhouse, W. S. J.
Ripley, H. W.	Whitelaw, A.
Robertson, H.	Whitwell, J.
Rothschild, N. M. de	Wilmot, Sir H.
Round, J.	Wilmot, Sir J. E.
Russell, Sir C.	Wilson, C.
Samuda, J. D'A.	Winn, R.
Sandon, Viscount	Wolff, Sir H. D.
Sclater-Booth, rt. hn. G.	Yeaman, J.
Scott, Lord H.	Yorke, hon. E.
Scott, M. D.	Yorke, J. R.
Scourfield, J. H.	Young, A. W.
Seely, C.	TELLERS.
Selwin - Ibbetson, Sir	Barttelot, Col. W. B.
H. J.	Goldsmid, J.

## NOES.

Anderson, G.	Lewis, C. E.
Archdale, W. H.	Lewis, H. O.
Bass, A.	Locke, J.
Bateson, Sir T.	Macdonald, A.
Beresford, Lord C.	M'Carthy, J. G.
Biggar, J. G.	M'Kenna, Sir J. N.
Bowyer, Sir G.	Mulholland, J.
Brady, J.	Mundella, A. J.
Browne, G. E.	Nolan, Captain
Bryan, G. L.	O'Cleary, K.
Butt, I.	O'Connor, D. M.
Carter, R. M.	O'Donnell, F. H.
Cogan, rt. hn. W. H. F.	O'Donoghue, The
Collins, E.	O'Neill, hon. E.
Conyngham, Lord F.	O'Reilly, M.
Corry, hon. H. W. L.	O'Shaughnessy, R.
Cowan, J.	Redmond, W. A.
Crichton, Viscount	Reed, E. J.
Dixon, G.	Smith, E.
Dodds, J.	Smyth, R.
Downing, M'C.	Stuart, Colonel
Dunbar, J.	Swanston, A.
Errington, G.	Synan, E. J.
Gore, W. R. O.	Thompson, T. C.
Gray, Sir J.	Trevor, Lord A. E. Hill-
Hamilton, Marquess of	Wallace, Sir R.
Harrison, J. F.	Whitworth, W.
Herbert, H. A.	Williams, W.
Kavanagh, A. MacM.	TELLERS.
Leatham, E. A.	Blennerhassett, R. P.
Leslie, J.	O'Connor Don, The

## BUSINESS OF THE HOUSE—THE DEBATE ON THE WEST AFRICAN SETTLEMENTS.—OBSERVATIONS.

MR. DISRAELI: I ventured yesterday in deference to what I believed to be the general wish of the House, to state that we would arrange that the debate on the Ashantee War and the Cape Coast Settlements should be resumed on Monday next; but from the forms of the House, and the manner in which it was arranged at the moment, my hon. Friend who brought forward that Motion (Mr. Hanbury) would find himself in an embarrassing position, as it would interfere with the progress of Business in Committee of Supply tomorrow, being an Amendment to Supply. If my hon. Friend would agree to bring it forward as a substantive Motion on Monday, the debate could then take place, as I have promised, and the general Business of the House would not be interfered with. I would therefore suggest that he should bring forward his Motion in a substantive form and withdraw it as an Amendment to Supply. I understand my hon. Friend the Member for Tamworth is not in the House now; but he has signified his willingness that that arrangement should be made, and we therefore agree to that course being pursued.

## BUILDING SOCIETIES BILL—[BILL 55.]

(*Mr. Torrens, Mr. Walpole, Mr. Gourley, Mr. Goldney, Mr. Dodds, Sir Charles Russell.*)

## SECOND READING.

Order for Second Reading read.

MR. W. M. TORRENS moved that the Bill be now read a second time, with the view of obtaining the sanction of the House to its principle, and referring it to a Select Committee for the consideration of its details.

MR. ASSHETON CROSS said, the Government had no objection that the Bill should be read a second time, on the understanding that it be referred to a Select Committee, in order that its clauses should be carefully considered. The Bill, as he understood it, was drawn on the lines of the Building Societies being kept as Friendly Societies, and not turned into Joint Stock Companies. That was the principle of the Bill to which, on the part of the Government, he was willing to assent; but he thought many



of the clauses required very careful consideration by a Select Committee, and it might be necessary to empower the Committee to examine witnesses.

*Motion agreed to.*

Bill read a second time, and *committed* to a Select Committee.

And, on April 30, Committee *nominated* as follows:—Mr. SPENCER WALPOLE, Mr. TORRENS, Mr. GOLDNEY, Mr. GOURLEY, Sir CHARLES RUSSELL, Mr. DODDS, Mr. WHEELHOUSE, Mr. WHITWELL, Mr. CALLENDER, Mr. LEEMAN, Mr. SOLICITOR GENERAL, Mr. ALEXANDER M'ARTHUR, Mr. SALT, Mr. PALMER, Mr. WILLIAM DENISON, Mr. ANDERSON, and Mr. TORR:—Power to send for persons, papers, and records; Five to be the quorum.

#### GAME BIRDS (IRELAND) BILL.

(*Viscount Crichton, Mr. Serjeant Sherlock, The Marquess of Hamilton.*)

[BILL 37.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Grouse season to begin on 12th August and partridge season on 10th September in Ireland).

MR. ERRINGTON moved, in page 1, line 5, to leave out from "and," to "September," in line 6, inclusive. Clause 1, line 15, to leave out from "and," to "September," in line 16. From "and," in line 16, to end of the clause. The hon. Gentleman said that the Bill had now been before the country for a considerable time, and it might appear somewhat strange that the opinions expressed upon it had been of a very various nature. This was to be accounted for by the fact that the interests proposed to be dealt with were situate in different parts of Ireland, and existed under remarkably different circumstances. Therefore, he thought it impossible to frame such a measure as should give satisfaction to all the interests concerned. All the Committee could hope to do was so to mould the present Bill as to make it acceptable to the greatest possible number of interests, and as little as possible injurious to the interests which it could not hope to serve. This was the object of his Amendment, and he understood that the noble Lord (Viscount Crichton) who had charge of the Bill did not oppose it. Under these circumstances, he should not inflict upon the Committee his reasons for the Amendment; but would merely state that its object was

to exclude partridges from the Bill, and consequently to leave the law unaltered as concerned the commencement of partridge shooting. He might say the feeling in Ireland was decidedly in favour of a change in grouse shooting, but the balance of opinion was extremely strong against any change in the period of partridge shooting. He was glad that the noble Lord had consented to the Amendment; because if the Bill had gone forward as it stood, it would have sacrificed the interests of the greater part of the country to those of a small minority.

MR. W. ORMSBY GORE said, he did not wish to go against the already expressed opinions of the House, but would be ready to compromise an Amendment which stood in his name by taking an intermediate day, and would name the 16th of August, which he believed would suit all parties.

THE CHAIRMAN explained that the Amendment could not be put unless the Amendment then before the Committee was withdrawn.

THE O'CONOR DON hoped the hon. Gentleman would not press his Amendment. He himself had always opposed the alteration of the time of the commencement of grouse shooting; but he found the great majority of those interested in the matter in Ireland were opposed to his view, and he did not think it would be wise for them in the West of Ireland to oppose the general opinion of those who took the greatest interest in the question.

VISCOUNT CRICHTON expressed his willingness to accept the Amendment relating to the commencement of partridge shooting.

MR. M'CARTHY DOWNING expressed his belief that the feeling was stronger in favour of alteration in partridge shooting than in that of grouse. The weather broke at the end of September, and very little shooting could be done.

MR. O'CONOR said, the hon. Member for Cork (Mr. Downing) must be very much mistaken, if he thought birds got wild in Ireland towards the end of September.

*Amendment agreed to.*

Bill *reported*; as amended, to be considered *To-morrow*.



## PARLIAMENTARY ELECTIONS (RETURNING OFFICERS) BILL.—[BILL 68.]

(Sir Henry James, Sir William Harcourt.)

## SECOND READING.

Order for Second Reading read.

SIR HENRY JAMES, in moving that the Bill be now read a second time, said, that its object was to increase the fees payable to Returning Officers at Parliamentary elections; for, of late years, the duties thrown upon them had been largely increased, and it would be found that the fees which they were entitled to receive did not sufficiently recompense them for the extra duties imposed upon them. By ancient custom—or what was called the common law of the land—the Returning Officer could make no charge for expenses upon any candidate at a Parliamentary election, in accordance with the assumption that they, as sheriffs of counties and mayors of boroughs, should execute the Queen's writ free of charge, whether to successful or unsuccessful candidates. Not only was it prohibited by the common law to make any such charge, but also by the statute passed in the reign of William III. it was clearly and distinctly laid down that no Returning Officer could make any charge whatever in respect of the election of a Parliamentary candidate. By the 7 & 8 Will. III. a penalty of £500 was imposed upon any Returning Officer who made such a charge; and, by the 18 Geo. II., the only charge which could be legally made against any candidate for either a county or a borough was for the erection of booths for polling places, and for clerks to preside in them. That provision was extended to boroughs by the Reform Act of 1832. These were the only charges imposed by statute or by common law on any Member of that House in England. In Ireland, by the Act of 13 Vict., their liabilities were strictly defined, and were fixed at £5 for each booth, and so much per day for each clerk employed in the booths. That state of the subject continued until the Ballot Act of 1872, which enacted that the expenses of conducting the elections should be charged in the same way as the charges hitherto imposed on the candidates. He was sure it was not the intention of the framers of that Act, nor of the House, that the liabilities of the candidates should be increased. But

there could be no doubt in the mind of anyone who had gone through a contested election that charges had been made on candidates which were not justified by the law, and which were equally unwarrantable by conscience. His object in introducing the Bill was to do justice to the Returning Officers, and in the Schedule of the Bill he specified the charges which they would be entitled to make, and he proposed that there should be no other charges, unless by the express agreement of the candidate in writing, and that all and such charges should be subject to taxation. He also proposed that the claims made by tradesmen on the Returning Officer should likewise be subjected to taxation. He would then enact that the town clerks in boroughs should assist the mayors; and, if necessary, they should receive a slight remuneration for the increased duty which would be cast upon them. That would involve some increase in the rates, but an extremely small one. The Bill provided that the ballot boxes should be those of the municipality. The expenses of school board elections and others showed that a great deal less money was required for Parliamentary elections. The substance of the Bill was contained in the Schedule. He begged to express the hope that the Government would agree to the measure being referred to the consideration of a Select Committee. He thought it was only fair the Returning Officers should have an opportunity of being heard, and besides there were minute details which could only be settled by a Committee. He had followed the example of the Act that regulated such matters in South Australia, where the charges were all specified in the Schedule, and where the expenses of candidates were only a third or a fourth of what they were here. The whole question of the expenses in connection with elections would afterwards have to be dealt with. We had got rid of corrupt practices; but a system had been growing up in connection with the employment of agents which was almost equally objectionable, and made the expenses almost as great. He hoped this measure would be accepted as an instalment of a greater one, which he would not shrink from endeavouring to carry.

MR. C. LEWIS agreed that the Bill was, in its main provisions, a very useful

one; but there were several provisions in it which made him heartily support the proposal to refer it to a Select Committee. The third clause appeared to him to be very objectionable. It provided that the Returning Officer should be entitled to demand a deposit from any candidate before the election, and in case that deposit was not made he should be able to return the other candidates. It was no light burden cast upon the town clerks of large boroughs when Parliamentary contests took place. Though it might only happen once in four or five years, the municipality of which he was the officer might not be willing to pay for these extra services. He thought he should be placed in the position of an under-sheriff, and paid directly and honourably for his services. He thought the present Bill proceeded on wrong lines altogether in recognizing the liability of candidates to pay these expenses, and he would suggest that it was a mistake to throw upon candidates the expense of the Returning Officer. It seemed to him that it was the office of the State to provide the machinery by which the electors might exercise their franchise.

MR. T. E. SMITH said, he did not wish to oppose the second reading of the Bill, or that it be referred to a Select Committee; but he thought the power proposed to be conferred on the Returning Officer to exact a deposit from the candidate was a most objectionable one. If such a clause were passed, it would have a very injurious effect upon a considerable number of candidates. He hoped they would be heard in their own behalf before the Committee.

MR. ASSHETON CROSS said, he did not object to the second reading, as it was intended that the Bill should be referred to a Select Committee. It must, however, be clearly understood that the question as to whether candidates should pay their own expenses was not to be imported into the inquiry of the Committee upstairs.

*Motion agreed to.*

Bill read a second time, and committed to a Select Committee.

And, on May 5, Committee nominated as follows:—MR. SPENCER WALPOLE, SIR HENRY JAMES, MR. HUDDLESTON, SIR WILLIAM HARCOURT, SIR CHARLES RUSSELL, MR. DILLWYN, VISCOUNT CRICHTON, MR. WENTWORTH BEAU-

MONT, MR. COOPER, MR. DOWNING, MR. STAVELEY HILL, SIR COLMAN O'LOGHLEN, SIR CHARLES MILLS, SIR EDWARD COLEBROOKE, MR. MACARTNEY, MR. LOCHE, MR. CAMERON OF LOCHIEL, and MR. NORWOOD:—Power to send for persons, papers, and records; Seven to be the quorum.

# MUNICIPAL PRIVILEGES (IRELAND)

BILL—[BILL 33.]

(Mr. Butt, Sir John Gray, Mr. Bryan, Mr. P. J. Smyth.)

## COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(Mr. Butt.)

SIR MICHAEL HICKS - BEACH moved, as an Amendment, that the Order be discharged, and that the Bill, which involved many legal technicalities, be referred to a Select Committee. He had made a private communication of his intention to the hon. and learned Gentleman opposite. He had no desire to shelve the Bill; but the appointments of sheriffs in England were governed by various statutes, some of them of great antiquity, and he thought that a Committee composed of his noble Friend (the Marquess of Hartington), himself, and a few other legal Members, would soon be able to arrive at a mutual understanding, and perhaps be better able to settle the details of this measure than a Committee of the Whole House.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(Sir Michael Hicks-Beach,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BUTT said, the proposal took him by surprise. However, he accepted the proposal, though with considerable reluctance, as he did not see what there was to be referred to a Select Committee. The measure involved no legal technicalities whatever, and he distrusted the proposal of the right hon. Baronet, as he believed it would be cited as a verification of the boast made by certain journals in Ireland that, although the second reading had been assented to by the Government, some means would be found of strangling the Bill in Committee.

THE ATTORNEY GENERAL FOR IRELAND (Dr. BALL) believed that the Bill could be much more advantageously considered in a Select Committee than in a Committee of the Whole House. Great inconvenience would be caused if the Bill should not receive full consideration, for it was in direct conflict with the Prerogative of the Crown and the system which prevailed in England. Besides, one of the Members for Londonderry (Mr. R. Smyth) had given Notice of an Amendment to the Bill. There existed no desire to interrupt its progress, but rather to make its provisions exactly conformable to those of the English system.

MR. R. SMYTH explained that it was not from any spirit of hostility to the Bill, but owing to peculiar local circumstances, that he had placed on the Paper a Motion for the exclusion of the county of Londonderry from its operation.

MR. M'CARTHY DOWNING expressed a hope that the hon. and learned Member for Limerick (Mr. Butt) would agree to the proposition of the Government.

Question put, and *negatived*.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Bill *committed* to a Select Committee.

And, on May 5, Committee *nominated* as follows:—Sir MICHAEL HICKS-BEACH, Marquis of HARTINGTON, Mr. ATTORNEY GENERAL for IRELAND, Mr. BUTT, Mr. GOLDNEY, Mr. LEEMAN, Mr. D. PLUNKET, Mr. CHARLES LEWIS, Sir COLMAN O'LOGHLEN, and Mr. GREGORY: Power to send for persons, papers, and records: Five to be the quorum.

And, on May 7, Mr. POWER *added*.

House adjourned at a quarter to One o'clock.

## HOUSE OF COMMONS,

*Wednesday, 29th April, 1874.*

MINUTES.]—WAYS AND MEANS—*considered* in Committee—Resolution [April 28] *reported*.

PUBLIC BILLS—*Second Reading*—Game Laws (Scotland) [17], *put off*.

*Second Reading*—*Referred to Select Committee*—Metropolitan Buildings and Management [3].

*Select Committee*—Offences against the Person \* [13], *nominated*.

*Considered as amended*—Game Birds (Ireland) \* [37].

## METROPOLITAN BUILDINGS AND MANAGEMENT ACT.

(Colonel Hogg, Mr. Grantham, Sir Henry Wolff)

### SECOND READING.

Order for Second Reading read.

COLONEL HOGG, in moving that the Bill be now read the second time, said, that no one would deny the importance of a measure which dealt with the regulation of the buildings of this vast metropolis, with the construction and management of its streets, the regulating the storing of inflammatory substances, with protection against fire, and with many other cognate matters. The object of the Bill was to extend and modify the enactments of an Act which was introduced by Lord Lincoln in 1855. It was the result of a long and careful consideration by the Metropolitan Board of Works, after consultation with numerous persons carrying on the various trades and manufactures affected by its provisions. Notwithstanding this the Board were fully aware that a Bill of this great magnitude, the details of which were of so complicated and technical a character, might be susceptible of improvement, and he was therefore prepared, as soon as it should be read a second time, to move that it be referred to a Select Committee, before which the parties who were specially affected by any of the provisions would be at liberty to be heard by counsel. The buildings of the metropolis were at present under the provisions of an Act passed in 1855 (the Metropolitan Building Act) and its subsequent Amendments; but it had been found in the working of that Act by the Board of Works that many anomalies had arisen under it. And he might here mention that it was exactly 100 years since this matter was first dealt with comprehensively by legislation—namely, in 1774. Since then the provisions of that Act had been amended and extended in accordance with the growing circumstances of the metropolis. In 1844 the Metropolitan Buildings Act was passed for the regulation and construction of buildings in the metropolis; and it repealed and re-enacted with many additions the Act of 1774; and again in 1855, as he had already mentioned, another Bill was introduced and passed by Lord Lincoln, altering to a great extent the Act of 1844. This Act was amended by further statutes in 1850

and 1861 and 1869. The object of the present Bill was to remove the anomalies and amend the defects of the Act of 1855. It was the opinion of the Board that many important parts of this Act required amendment, and they had therefore brought forward the present Bill which proposed to repeal the whole of the existing statutes, to re-enact such of their provisions as seemed necessary and proper. The object of the Bill was four-fold—namely, to consolidate the Building Act, with the Amendments required by experience to confer powers for the regulation and management of the streets, to make special provisions against fire, and to provide better protection for the Board in respect of sewers. He would refer at present only to the more salient provisions of the Bill. Amongst them was one of a very important character, relating to the division of houses by party walls:—it required that houses should be divided by strong party walls of adequate thickness to prevent the extension of fire. By the Act of 1855 the limitation of the cubic contents of a building was fixed at 216,000 feet; but the magistrates had decided that that amount of cubical space might be contained on each separate floor. The Bill proposed that the 216,000 feet should be extended to 300,000 feet, but that the 300,000 feet should comprise the whole building. The recent great fires in the metropolis justified, in the opinion of the Board, such an alteration—take for instance the destruction of the Steam Flour Mills in Thames Street, which was a building 250 feet in length without a single vertical division; while the recent fire at the Pantechnicon was an instance of a building of enormous dimensions with divisions which had proved totally incapable of resisting fire. With regard to the storing of inflammable substances, the buildings in which they were contained were not sufficiently safe; and the Metropolitan Board of Works required increased powers in regard both to the storage of the materials themselves and to the buildings in which they were placed. There could be no doubt that the regulation of this matter was of great importance to the security of life and property. The Bill gave the Board increased powers with reference to dangerous structures. With regard to the public streets and public places, many of which were in a state of great

neglect, and stood in need of legislative improvement, the Board asked for increased powers to deal with them. If Parliament granted such powers they would be able to deal with such cases as Stamford Street, where houses had been left for years in a dilapidated condition, and also Leicester Square, which had long been a disgrace to the metropolis, and to compel the owners of property to put it into such proper condition as that it would not be a nuisance to the neighbourhood. Another object with regard to streets was that they should be of a width of 40 feet at least. Many owners of property were unwilling, when building streets upon it, to build them of the width of 40 feet, their object, no doubt, was to obtain the largest rental by crowding their land; but this could not be allowed in the construction of metropolitan streets. The Board also took power to enforce their regulations as to the naming of streets and numbering of houses. Then as to the district surveyors:—these were to some extent independent of the control of the Board of Works. The Bill proposed that henceforward the Board should appoint the superintending architect and district surveyors, and should frame bye-laws regulating the qualifications and examination of the persons to be appointed; the district surveyors would therefore act under the direct authority of the Board, and the Board would be directly responsible for whatever might be done under the authority of this Act. He would be quite prepared, however, if it was desired by the Institute of British Architects, to insert in the Bill the clause relating to surveyors which was contained in the Act of 1855, which intrusted to the Institute the examination of candidates for the office of district surveyor. The Board had proposed to effect this arrangement by a bye-law; but they were prepared to introduce a clause into the Bill if the Institute desired it. The Bill gave power to the Board to enforce lines of frontage, to regulate, as he had intimated, the width of the streets and to prevent encroachments upon them, and to limit the height of buildings abutting on any street or open space. It was also proposed that all duties to be performed by a magistrate under this Bill should be assigned exclusively to one of the Metropolitan Police magistrates; and power was given for the



appointment of two assessors, who must be architects of 15 years' standing. At present the application under the Metropolitan Building Act disturbed the ordinary business of the Courts; moreover, at present there was considerable conflict between the magistrates of different Courts in respect of these matters, and the Metropolitan Board of Works thought that if one magistrate were appointed to exercise the entire jurisdiction in those matters it would secure greater uniformity in the decisions. The Bill contained a clause prohibiting the exhibition of staring advertising placards on the walls and hoardings in the public streets and thoroughfares, and also for preventing the pavements in the public streets from being made a medium for stencilled or painted advertisements. The proposal with regard to placards on the walls and hoardings had, however, excited a great deal of discussion recently in the newspapers, and earnest representations had been made to the Board that if "bill sticking" were prohibited a large number of men, upon whom their wives and children were dependent for bread, would be thrown out of employment and deprived of the means of procuring support for their families. Under those circumstances the Board thought they would not be justified in maintaining that clause in the Bill. But with regard to the stencilling on the pavements, they held that that was not exactly the place for advertisements. They would, however, leave that to the decision of the Select Committee. Objection had also been taken to the provision with respect to the heating apparatus now in use in various houses. The clause in the Bill was, however, identical with the clause in the Act of 1855, and the Board thought it better that the provision in question should go before the Committee. In conclusion, he assured the House that the Metropolitan Board did not wish in any way to interfere with the trade or manufactures of the metropolis. Their object was to give the metropolis the benefit of 18 years' experience of the working of the Act of 1855, and he was sure they would have the approval of the House in their desire that the law should be consolidated. People were expected to know the law, but how could they know it if they had to look for it now in one place and now in another? He begged to move the second reading of the Bill.

*Colonel Hogg*

Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Colonel Hogg.*)

MR. BERESFORD HOPE, on behalf of a very important body, the Royal Institute of British Architects, whom he might claim to represent in that House, there being no other member of the Society in it, said he was glad to be able to express satisfaction with a statement made by the Chairman of the Metropolitan Board. The Royal Institute represented all the architects in the Kingdom, and more particularly those resident in the metropolis. They had had for many years the useful and honourable function of examining gentlemen for the office of district surveyors, and thus, as it were, of licensing and approving them. In fact, the appointment so regulated was a sort of degree, and the gentlemen thus chosen carried with them the evidence of competency. He hoped that such power would not be taken away. The Bill, as it stood, proposed that the statutable rights of the Institute should be remitted to the uncertain provisions of a bye-law. If they were embodied in the Bill itself, the Institute would be satisfied. There were other provisions as to which the body which he represented had misgivings; but, as he gathered from his hon. and gallant Friend that the Bill would be referred to a Select Committee, before which ample opportunity would be given for hearing and considering the various objections, he would not at this stage offer any opposition to the Bill. At the same time, he must point out that if the Bill had raised misgivings, its authors were responsible, from the unusual way in which they had drafted it. The old idea of a Bill was that it should appear in a form capable of at once receiving the Royal Assent. But this one began with a sort of preface of observations of an *ex parte* character. If this precedent obtained, he did not see why Bills should not in future be illustrated by cartoons. He would recommend the Home Secretary to avail himself of Mr. Tenniel's very able pencil for the Licensing Bill, while no doubt the hon. Member for Carlisle could obtain the services of Mr. George Cruikshank.

MR. SAMUDA said, he had himself given Notice of a Motion to refer the



Bill to a Select Committee, and he therefore heard with satisfaction from the hon. and gallant Member for Truro (Colonel Hogg) that he himself proposed to adopt that course. The Bill had been in the hands of the public only a few days, and yet he was himself assailed by representations from the different trades and manufactures at the East end of London as to the immense mischief which would be occasioned by the provisions of the measure. His hon. and gallant Friend said that the Metropolitan Board of Works did not ask for any new and extended legislation; but if he looked more closely into the Bill he would find that it proposed most important and extensive alterations. He might almost say that if the measure were passed in its present shape it would practically banish manufactures from the metropolis. The Bill proposed to limit the cubic space of every building—now it was well known that the modern tendency of trade was to extend its operations—the Bill would enforce the manufacturers to contract their works. It was true that a clause was relied on to relieve manufacturers in cases where the Board should otherwise direct; but he would observe that it was unreasonable to expect owners of factories to submit themselves to the alternative of coming cap in hand to the Metropolitan Board for their permission, and failing to obtain it to sacrifice their power of carrying on their businesses, after having already spent large sums to enable them to do so. Then, under the words of the Bill, the Board would be enabled to interfere with the operations of the great Dock Companies. He presumed this could not be intended; it certainly could not be allowed. He thought the traders and manufacturers had not been sufficiently consulted; and speaking at the request of a great number of very important interests, he could only say that they did not admit that this Bill had been framed in accordance with their views. The Bill had clearly been framed principally, if not wholly, to avoid fires—a very desirable object, he admitted, but one that could only be entertained when proposals to restrict risk from fires were so framed as to leave the greater and more important interests of trade and manufacture free from objectionable interference fatal to their success. As to the district surveyors, they had

hitherto been an independent body, examined and approved by the Royal Institute of British Architects, and the traders and manufacturers of the metropolis had reliance on them. But this Bill proposed that the Metropolitan Board should be invested with power to select whom they thought proper for the office. [Colonel Hogg said, the Board intended to give way on that point.] Yes; but then the Board proposed to make regulations, regarding their examinations, by bye-laws. [Colonel Hogg: It was intended that clauses should be inserted in the Bill.] Though he would not oppose the second reading, he hoped the various interests affected by the Bill would have full opportunity of being represented by counsel or otherwise before the Select Committee, and that a certain interval between the second reading and the reference to the Select Committee would be secured by the House.

COLONEL BERESFORD said, he had hoped that the "harassing legislation," on which the late Chancellor of the Exchequer prided himself, had come to an end with the last Government; but it would be difficult to find a worse specimen of that legislation than was contained in the present Bill. If the "placard" clauses had been persevered with, he should certainly have opposed the Bill. He was glad his hon. and gallant Friend had, upon that point, "surrendered at discretion," and rendered it unnecessary for him to oppose the Bill. The effect of such a provision would be to throw a number of people out of employment.

MR. NORWOOD said, that the Bill, unless it were greatly modified by the Select Committee, would interfere seriously to the detriment of the trade and commerce of the metropolis. However, he understood that the hon. and gallant Gentleman was willing not only to refer the Bill to a Select Committee, but also to adopt the very terms of the Amendment which he put on the Paper to insure that the various parties affected should be represented by counsel before the Committee. [Colonel Hogg intimated assent.] That being so, he would not offer any opposition to the second reading; but he trusted the Home Secretary would make it his business to see that the sanitary condition of the Metropolis was not injuriously affected by the Bill, and that the Members who were to

sit on the Select Committee should be properly chosen.

MR. WATNEY said, that if it was necessary to legislate for the metropolis in the manner proposed by this Bill, he thought the same legislation would have to be applied to all the large towns of the country. He objected to the provision with respect to limitation of 300,000 cubic feet as the contents of any one "building," on the ground that had it been in operation before now, none of the large manufacturing or trading concerns of the metropolis could have been built. That might be easily understood, when it was considered that 300,000 was the cube of 67, and, therefore, to build a house 67 feet high, and 67 feet deep, would leave only 67 feet for frontage. He might be told there was a saving clause in the words, "unless the Board otherwise allow." But why should people have to go, cap in hand, to the Metropolitan Board for permission, as long as what they proposed to build was not detrimental to the public welfare? With regard to the provision for the erection of party walls and the other precautions against fire—looking back to the great fires that had occurred within the last few years, it had been, in his opinion, impossible to prevent some of them from spreading. Take, for instance, the great fire at London Bridge some years ago. He ventured to say that it was impossible for a considerable time to arrest the progress of that fire, fed, as it was, with oil and other inflammable matter. Then, as to fires in buildings supported by iron columns, it was found that those columns, under the action of the fire, gave way as supports, and aided by their great heat to communicate the fire to woodwork, and thus contributed to extend it. In his opinion, such results might be prevented by enclosing the iron columns in brickwork, which would effectually protect them from the action of the fire. Reference was made in the Bill by the hon. and gallant Member the Chairman of the Metropolitan Board of Works to the great fire which occurred lately at the Pantechnicon. The destruction of that building would not have been prevented had this Bill been in force. In that building there were iron doors; but they were all left open, and they were thus of no use in arresting the progress of the flames, and preventing them from

communicating from one room to another. In the present Bill he did not see any provision for keeping iron doors shut in buildings, and whatever legislation the Board might advise about iron doors, it would be practically impossible to see that they were kept shut. He thought that the Board should have the right of interference in the case of inflammable materials being stored, but not without. Builders were now allowed to erect sets of chambers, constituting houses, one above the other; and he could not conceive why sets of chambers over one another should not be allowed in manufacturing buildings. With regard to district surveyors, he thought they should be independent of the Board of Works, and that too much power should not be thrown into the hands of the Board; and with regard to the clause in the Bill proposing that a police-magistrate should be appointed specially to hear applications in matters to which the provisions of the Bill were intended to apply, he considered it advisable that two magistrates should be appointed for the duties. There were great objections to the clause by which timber merchants were not allowed to store timber, without placing a wall round it, and if this were to be carried into effect, their premises would have to be considerably enlarged, where there was opportunity for so doing, but where there was not, it would be impossible for them to carry on their trade; he hoped, therefore, that these clauses would be reconsidered. With respect to buildings, he thought the Metropolitan Board of Works had taken an erroneous view of their duties. What they had to do was, to take care that a building was sufficiently safe, and it was only in the case of dangerous structures that they should have the right to interfere. However, he hoped the changes proposed to be made in the Act of 1855 would prove advantageous to the public interest.

MR. KAY-SHUTTLEWORTH said, he did not intend to join in the chorus of objections to the Bill; he would rather congratulate the hon. and gallant Gentleman (Colonel Hogg) on having made an attempt to deal on an adequate scale with the Metropolitan Building Act of 1855, which was notorious for its defects—in particular it had allowed a great many houses to be built,

which from the beginning were unfit for human habitation. The hon. and gallant Gentleman had acted wisely in expressing his readiness to have the Bill referred to a Select Committee. There were in the Bill many clauses which bore in a very important manner upon the health of the inhabitants of London, and it seemed only natural and obvious that the Medical Officers of the vestries should have been consulted with respect to these clauses. He understood they had not been consulted, and that they objected to many provisions of the Bill; and, therefore, he hoped the Medical Officers would be heard by the Select Committee. With regard to the prevention of fires, he did not hope for very much from the Bill, because, until we had such a water supply that we could have an unlimited quantity in a few minutes, we could not do much to diminish the ravages of fires when they once broke out. It was only by enforcing constant supply, with hydrants in every street, giving a plentiful supply of water immediately, that we could hope to prevent the destructiveness of fires.

MR. BAILLIE COCHRANE said, that so far from complaining of the powers asked for by the Metropolitan Board, he only wished that greater powers than those contained in the Bill had been inserted, because until we had some centralization of authority in London, it would always be the worst governed metropolis in Europe. He thought that before introducing such a Bill as this, they ought to know distinctly what the present state of things was. What were the powers of the district surveyors? The condition of the district lying between the Knightsbridge Barracks and Hyde Park Corner was perfectly disgraceful from accumulations of dirt and the effluvia from drains, which had the effect of producing fever, and of reducing the value of property in the neighbourhood. The district surveyor, it appeared, had nothing to do with the matter, and therefore he should like to know what were the powers entrusted to those surveyors. At the same time he considered the Bill was a step in the right direction.

ALDERMAN SIR JAMES LAWRENCE said, the hon. and gallant Gentleman the Chairman of the Board had stated that the Bill did not interfere with the traders and manufacturers of the metro-

polis; but anyone who had read the provisions of the Bill must see that it would interfere most materially with some of the manufactures of London — particularly those that were carried on in the suburbs. However well adapted to streets of dwellings, it was inapplicable to wharfside premises, and it would interfere to such an extent with many businesses that it would drive them away. Because it was difficult to extinguish a fire in a large warehouse, it was provided that large warehouses were to be prohibited; and further, if an existing warehouse were altered or if a fire occurred in it, it was to be divided into a number of cells—which would prevent the proprietor continuing his trade. Warehouses such as those belonging to Messrs. Marshall and Snelgrove, Cook, Pawson, Morrison, and Leaf could not be erected in future if the Bill passed. The Bill was drawn on the same lines as one that had been twice withdrawn in anticipation of threatened opposition; and therefore its re-introduction had taken London by surprise. Besides being inimical to trades, it was objected to by the Medical Officers of Health, and also by the Institute of British Architects; and a member of the Institute had said to him, "One cannot imagine who can have drawn a Bill which shows so much ignorance of construction." The City Architect told him that he had received no communication with reference to the Bill. If carried out in its entirety it would interfere with the employment of thousands and tens of thousands in the metropolis. As to the limitation of height to 65 feet, the common law rightly protected adjoining properties from detriment, but the proposed limitation of 65 feet was one that would not be listened to in Manchester or Liverpool. If the Bill was not materially altered in the Select Committee, he should move its rejection on the Motion for the third reading.

MR. STEVENSON complained that the Bill went into matters of detail which must seriously hamper architects and builders, without securing any corresponding advantage. He objected to the limitations as to shop fronts, projecting windows, and balconies; for he much wished to see our architects do something to break the dull monotony of the London Streets. Then, as to the width of streets, it was a matter which

very much concerned ventilation and the free circulation of air. Instead of requiring every street, however short, to be 40 feet in width, and so compelling the erection of deep blocks of buildings, supposed to be ventilated by wells in which the air was stagnant, he believed it would be more healthy, because more conducive to the circulation of air, if we permitted shorter streets of lesser width to be opened up.

MR. KINNAIRD hoped the Select Committee would not meet before Whitsuntide, so that there might be ample time for district surveyors and others to examine the Bill. He trusted the work of the Select Committee would prepare the way for a comprehensive measure of local government for the metropolis, which he hoped the Ministry would introduce next Session.

MR. ASSHETON CROSS said, the local government of the metropolis was no doubt a large and serious question, and one which must be entertained at some time; but certainly not at present. This Bill was important in two ways—as affecting the public interest and as affecting trades and industries—it was important that the Regulations proposed by the Board of Works should be made as effective as possible in the interests of the public; and it was important that the interests connected with trade and commerce should have their case amply considered—and it would be the desire of Parliament to get out of any legislation the maximum of public benefit with the minimum of inconvenience and disturbance to private interests. He would not enter into any of the details referred to by hon. Members in the course of this discussion—except to make one observation on the question of fire. The object of some of the provisions of the Bill was to diminish the frequency and, perhaps, also the extent of fires; but he could not help saying he hoped that at some time provision would be made for a more plentiful supply of water to the metropolis. The existing regulations were lamentably inefficient, and before long the matter must attract the serious attention of Parliament. As to the important clause providing for the appointment of a special police magistrate to deal with the questions that would arise under the operation of the Bill, he was inclined to think that justice was better administered by a magistrate dealing

with all classes of cases that might be brought before him, and that a Judge, however well intentioned, in dealing with a special class of cases, was apt to get into a groove. He should object also to the peculiar way in which the magistrate was proposed to be paid—a way which interfered with the application of fines and penalties, and took them out of their usual channels. This clause ought not to become law without attracting the serious attention of the Government and of the House. Undoubtedly the Bill ought to be referred to a Select Committee, and to a carefully appointed one; and it was his intention to propose that six members should be appointed by the House, three to represent the Metropolitan Board, and three to represent the trades affected, and that five members should be appointed by the Committee of Selection. It was also desirable that the Motion which stood on the Paper in the name of the hon. Member for Hull (Mr. Norwood) should be adopted, so that those who would be affected by the Bill should have the opportunity of appearing by counsel before the Committee. The Medical Officers of Health ought also to be heard with reference to the sanitary provisions of the Bill. The Bill was brought in on the 20th of March, and ordered to be printed on that day; and it was delivered on the 1st of April. If counsel were to be heard, the Committee would have to sit some time; and if it did not meet until after Whitsuntide the effect would be to postpone legislation and lose the work which had been done. He therefore proposed that the Committee should sit in a fortnight, which would give time to those interested to prepare the cases they wished to present to the Committee, and would give the Bill a chance of passing this Session.

MR. GÖSCHEN thought the proposals of the right hon. Gentleman were fair, and would give satisfaction to those whose interests were affected. He must also express his satisfaction at the withdrawal of the clauses relating to advertisements, which had caused great consternation. It would have been a bad return for the great obligations hon. Members were under to the bill-stickers to have harassed that useful interest at present.

*Motion agreed to:—*Bill read a second time.

*Mr. Stevenson*



MR. ASSHETON CROSS moved that the Bill be referred to a Select Committee.

COLONEL HOGG said, the Bill had been in the hands of hon. Members 29 days; and, if a fortnight were allowed before the Select Committee met, he hoped there would be no further delay. He had brought it in with an earnest desire to pass it this Session. He had no reason to complain of the manner in which the Bill had been received. The district surveyors had to do with buildings only, and therefore had nothing to do with the condition of the sewers in Belgravia, complained of by the hon. Member for the Isle of Wight, about which complaint should be made to the Inspector of Nuisances of the vestry. The City was represented at the Metropolitan Board by three members, one an architect, who had taken much interest in this Bill; and, therefore the City could not plead surprise. Streets of 40 feet width were as narrow as could be sanctioned for public traffic. The hon. Baronet the Member for Lambeth (Alderman Sir James Lawrence) complained that the trades of London had not been consulted; but the fact was a variety of trades had been requested by the Board several years ago to state their objections to the Bill in detail. They had been heard *vis à voce* against several clauses, and all their objections had been duly considered.

*Motion agreed to.*

Bill committed to a Select Committee of Eleven Members, Six to be nominated by the House, and Five to be nominated by the Committee of Selection.

*Ordered,* That all Petitions presented against the Bill during the present Session be referred to the Committee; and that such of the Petitioners as pray to be heard by themselves, their Counsel, or Agents be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against the said Petitions:—Power to send for persons, papers, and records; Five to be the quorum.

#### GAME LAWS (SCOTLAND) BILL.

(*Mr. M'Lagan, Sir Edward Colebrooke, Mr. Orr Ewing, Mr. Maitland.*)

[BILL 17.] SECOND READING.

Order for Second Reading read.

MR. M'LAGAN, in moving the second reading of the Bill, said: Mr. Speaker, —An apology is scarcely necessary from me for having introduced so early in

this Parliament the question of the game laws, for it is ripe for legislation. Four Sessions during the last 25 years have been occupied by the labours of two Select Committees appointed to investigate this subject. Part of another Session was spent in trying to make amendments on Bills and propositions before the House. In almost every Session of the last Parliament the subject of the game laws was discussed, and in one year no fewer than seven or eight different measures were brought forward. Not only has the subject been agitated throughout the country, but nearly every Chamber of Agriculture has expressed an opinion as to what amendments on the existing laws relating to game are necessary in order to effect a settlement of this vexed question. Therefore, I am fully warranted in saying that it is ripe for legislation. It would have been desirable to make the Bill applicable to England, Scotland, and Ireland. I framed it with that view, and I was promised the assistance of the Members for Norfolk and Leicestershire, who so well understood the practical parts of the question. An hon. Member from Ireland also offered his aid to enable me to carry out my original aim; but the suddenness of the Dissolution of Parliament, and other causes, have forced upon me the necessity of confining the Bill to the game laws of Scotland alone. There are three interests which must be taken into account in dealing with the game laws—namely, those of the landlord, of the tenant, and of the community at large. The landlord is affected in so far as the game laws protect his property against trespassers, and also protect certain wild animals which add to the value of his estate. The farmer is affected in so far as he is interested in the protection of his crops, alike from trespassers and from the depredations of game. The general public are affected by the increase of crime which is annually committed under the Game Acts. The present game statutes affect all these interests in one way or another, and I have endeavoured, in framing this Bill, to give equal weight and consideration to each. The first and fourth parts of the measure are devoted to these three interests, the second part deals with the relations of landlord and tenant, and the third part fixes the machinery by which the provisions of the Bill are to be carried out. Some of



the witnesses who were examined before the Committee which sat in 1872 and 1873 recommended that the game laws should be abolished entirely; but, on being cross-examined, most of these gentlemen were obliged to admit that if the game laws were abolished it would be necessary to have a more stringent law of trespass than now exists. Official documents show that there is scarcely a country in Europe or America, from despotic Russia to the Republican United States, which has not a law of trespass. In the United States, 27 out of 34 of the States have a game law, or what is very like it, a stringent law of trespass. In 1848 the game laws were abolished in Prussia and other German States, but so great was the amount of damage done to landed property that it was found necessary to re-impose the game laws, or a very stringent law of trespass. A few of the witnesses examined before the Committee to which I have referred, also recommended that an inalienable concurrent right should be given to the landlord and tenant to shoot game. What would be the result of such a measure? If the landlord and tenant chose to exercise the rights the Legislature gave them, the result would be the extermination of winged and ground game. If, on the other hand, the landlord wished to reserve the game to himself, he would easily manage to do so by some stipulations in the lease. Or they might both enter into a contract whereby the game might be increased to such an extent as to inflict a great deal of loss and damage upon the country. Such a measure would be quite ineffectual to secure the end in view. As an illustration, I may mention that one witness informed the Committee that he had full power under his lease to kill rabbits on his farm, but he did not exercise it for fear of giving offence to the gamekeeper and the landlord, and the consequence was that his crops were so eaten up by game that he was compelled to remove to another part of the country. Another recommendation was that hares and rabbits should be taken out of the game list. That was no novel suggestion, for as far back as in the Committee of 1845, high authorities, such as the late Mr. Pusey and Sir Harry Verney, bore testimony that ground game was incompatible with good farming and the pre-

servation of crops. And almost every Chamber of Agriculture has approved of this suggestion. I propose that hares and rabbits should be taken out of the game list, and I justify that by the benefit which would be conferred on the farmers and on the community at large. First, as regards the farmers; the great cause of their dissatisfaction with the game laws is the damage done to their crops by the ground game; reduce the numbers of these, and the complaints from the tenants will be less frequent. Then as regards the community; the 10,000 convictions which take place annually under the Game Acts form an amount of crime which may well arrest the attention of every legislator and social reformer. If you trace the career of a poacher to its origin, you will find that the first criminal act he committed was the taking of a hare or rabbit, and that he did so without thinking for a moment he was doing anything wrong. A man may be walking across a field when a hare or a rabbit starts up. He catches and kills it—is seized by the gamekeeper, who was watching him all the time, and is convicted and fined. If unable to pay the fine, he is thrown into prison, where he becomes contaminated by the bad characters with whom he comes in contact. He leaves prison with a complete loss of self respect, and the degradation he has suffered leads him to commit other offences, so that a downward career which began with the simple taking of a hare or rabbit may terminate on the gallows. Let us ask ourselves whether, in passing Acts which are at variance with the moral sense of the community, and tend to increase crime, legislators are not more culpable than the men who break the law? One objection which has been made against the Bill is that it would lead to an increase of trespass, and also to the extermination of hares and rabbits. Now, what is the Scotch law of trespass? Two lawyers — Mr. Murray, of Edinburgh, and Sheriff Barclay, have explained the law to mean this—If you find a man trespassing on your property, and you warn him off, if he does not leave you can use violence to compel him, and can also make him pay damages. If, therefore, the law has any effect in preventing poaching, my Bill will provide all that is necessary. For I retain all the pro-

visions against trespassing in pursuit of winged game, and if by the present law you can apprehend a man trespassing under suspicious circumstances you can equally do so under these provisions of my Bill. As regards extermination, the object of the Bill is to reduce the number of hares and rabbits, but not to exterminate them; and if we do not reduce the number of these animals in the country, we will never settle this question. Clause 10 of the Bill provides that anyone wishing to preserve hares and rabbits can do so by enclosing the land in such a way as to prevent egress, after giving due notice and taking out a licence. I insert that provision because I do not see why a proprietor should be debarred from preserving ground game so long as he does not thereby interfere with the rights and property of his neighbours, any more than a man who cultivates turnips and carrots should be prohibited from also cultivating roses and other flowers. I should like here to say a word on another branch of the subject. I believe there has been a great deal of exaggeration in the statements made respecting the evils of deer forests. Some statistics were given in evidence before the Committee last year as to the number of sheep displaced by deer, and it was found that the annual produce of this number only amounted to something like one day's consumption of butchers' meat in the country, while a mere fractional difference was caused in price, even though the venison, and the live animals, and meat imported were not taken into account in estimating the difference. The next point has reference to the jurisdiction of the Justices of the Peace. The Bill provides that all offences under the game laws should be transferred from the jurisdiction of the Justices of the Peace to that of the Sheriff. In making this proposition, I do not wish to cast the slightest reflection upon the Justices. I believe that no body of gentlemen discharge their duties more conscientiously than the Justices do; but still it is necessary that those who administer our laws should be above suspicion. Now in this matter, that cannot be said to be the case. Many people believe that they have a right to kill hares or rabbits and they do not think that a proprietor has any more right to the wild animals on

his property than they have. And it does not tend to increase the confidence which a man should have in our laws when he finds that poachers are tried by a bench of Justices, most of whom are notorious game preservers. We are all apt to have our judgments warped by prejudice. And as Sheriff Barclay very clearly put it—"there is in connection with sport an exceedingly keen and strong feeling to increase game, and to punish the destroyer of it," which is very apt to bias a sportsman; and most country gentlemen are sportsmen, from among whom the country Justices are selected. I have the less hesitation in suggesting the transference of the jurisdiction from the Justices to the Sheriff as the Legislature has already in about a dozen Acts of Parliament guarded the administration of them even from suspicion. For instance, under the Bread Act, no miller or baker can act as a Justice; under the Mutiny Act, no military officer, in billeting soldiers; under the Factory Act, no occupier, or father, son, or brother of an occupier of a factory; under the Salmon Fishing Act, no fishing proprietors; under the Licensing Act, no brewer, maltster, distiller, or retailer of excisable liquors; under the Mine Acts, no coal master or tenant of coal works; no road trustee, in an appeal to quarter sessions from a meeting of road trustees of which he is a member; no solicitor, or procurator, or partner of any such, in any matter whatever falling under the jurisdiction of Justices. Another provision in the first part of the Bill gives protection by a close time, and makes it an offence to kill game within dates specified in the fourth clause; and here I may remark that a mistake has crept in, and that the dates of close time ought to be from the 1st February to the 12th August following. Then comes the clause for the protection of eggs of game, and protection against trespassers in pursuit of game, and protection against the poisoning of game. The next portion of the Bill which commends itself to our attention is, that affecting the relation between landlord and tenant as regards game. By the present law of Scotland a tenant has a right to kill game unless there is an agreement to the contrary; but notwithstanding this provision, most landlords reserve the game to themselves. By the law of England the tenant has

the right to the game unless reserved by the landlord, which is more in accordance with the principle of justice, for it is just that he should have a right to the game on whose crops it feeds. But it is a matter of little importance in practice who has the right to the game, as most landlords in England and Scotland reserve it. There are certain conditions attached to this alteration of the law. First, existing leases are not affected by it. Second, if the landlord does not reserve the right of killing the game, the tenant cannot assign it to any other party without the landlord's consent. Third, if the landlord reserves the game he must state in the lease the value he attaches to it. This proposition was specially suggested to me by the discussion on the rating of game when the rating liability was under discussion. In England it matters not what the rent may be; the tenant is not assessed upon that, but upon the general annual value of the land, and if that has been deteriorated by over-preservation of game, the tenant would have recourse under that Bill to a means of recovery of the difference between the value of the land and that to which it had been deteriorated by over-preservation of game. In Scotland we are assessed upon the actual rent paid which is mentioned in the lease. Certain landlords have been accustomed to make special agreements with the tenant—that is, they will reserve the game, and will allow a certain sum to the tenant on condition that he shall preserve the game; and I know some instances where a tenant has got a reduction of his rent to the extent of 2s. per acre, and sometimes more, these 2s. per acre being deducted from the agricultural value. This reduced rent is mentioned in the lease, and is the sum on which the assessment is laid; and then the landlord and tenant do not pay their fair share of the rate, and the other rate-payers are compelled to pay more than their share. This provision will do away with the injustice to the public. This provision has another advantage. In the 14th clause there is a provision that if the landlord who reserves the game does not keep it down to what may be considered a fair and reasonable extent, he shall be liable to the tenant for any excess of damage done. Now, the great difficulty in such a case would be to say what was a fair and reasonable

amount of game. In this case a fair and reasonable amount of game would be estimated by the value of it stated in the lease, and which was mutually agreed on by landlord and tenant. The fourth condition which I attach to the alteration or assimilation of the law is, that if any landlord wishes to let the game, he shall give the first offer of it to the tenant at the value he puts on the game in his lease. I never heard of any tenant complaining of a landlord shooting over his farm, and I never met a farmer who did not complain of the sporting tenant. The landlord has sympathy with the tenant. He takes care that the fences are not destroyed by over-preservation. The sporting tenant, on the other hand, pays a good rent for the game, and tries to recoup himself by over-preservation; and the result is the destruction of fences and crops. I think, therefore, we should do away with the dissatisfaction of the tenant on this point, if we were to provide that the landlord, if he let the game at all, should give the tenant the first offer of it. I know there is some objection to this, and that while game might be kept down on some farms, it might be preserved to a great extent on a farm in the middle of an estate. I shall be glad if any remedy can be suggested for injury that might occur in such a case. Another part of the Bill is that which deals with compensation for damages. The principal point of it is that no landlord shall be entitled to bring an action against his tenant after three months from the time when the breach of contract has taken place; and that no tenant should be at liberty to bring an action against the landlord unless he gives three weeks' notice of his intention to do so before the crop is taken off the ground. In Clause 14 I have stated, that if there has been any agreement between the landlord and tenant after hares and rabbits have been taken out of the game-list, the tenant should be entitled to be recouped for an excess of damages. I know that objection has been taken to this, and that it has been said, "If you take hares and rabbits out of the game-lists, why make the landlord pay afterwards?" My reason is this. I find that after the agitation of the subject, various landlords have been stipulating for the reservation of game "and hares and rab-

bits" to themselves, and if that be so, I think it is absolutely necessary that the landlord shall still be liable for damages. In Clauses 15 and 16 I allow the landlord to have an action against the tenant for breach of contract, but in the consideration of that I prohibit him from exercising the right of interdict. That is to say, if the tenant goes shooting over his land when there is an excess of game, the landlord should not have the right of interdicting him. That clause is not my own. I took it from a Bill which met with great favour in the late House of Commons. That Bill was introduced by the late Lord Advocate, and met with considerable acceptance by the House. Some object to the clause, some think it a good part of the Bill, and some think it arbitrary. For my own part, I think it very hard that landlords, in spite of contracts, will persist in preserving game to a greater extent than was intended. It is only in such cases that the power given by this Bill will be exercised, and it is only in such cases that we would prevent the landlord from exercising his right at law. The other provisions are very simple. They refer to the settlements of disputes by arbitration. If the parties cannot agree, the case shall be referred to the Sheriff, who shall have it in his power to appoint a man to inquire into the matter and report to him, and the decision of the Sheriff shall be final. There shall be no appeal from him to the Court of Session. The last clause of the Bill refers to deer forests. Though I have introduced into the Bill a provision for putting up deer fences by the owner or tenant of a deer forest, if required by the lessee of the adjoining agricultural or sheep farm, I have at the same time allowed the alternative of a sheep fence, which would prevent sheep from trespassing in the deer forests. In Committee last year, the farmers complained very much, not so much that the deer came out, as that the sheep trespassing in the forest were hounded out by the keepers' dogs. They would be satisfied if the owners of deer forests would put up sheep fences, and I am glad to say that the owners of forests who are in this House, all have said that it is quite reasonable, and they are prepared to do it themselves. There are other provisions which I should think it necessary to introduce into this Bill, and I will assure hon. Gentlemen on both

sides of the House that if the Bill is allowed to go into Committee, I shall be willing to listen to any suggestions for improvement from either side of the House. It is impossible that you can get every man to agree to all its provisions. I was quite prepared to find that a number of hon. Members are opposed to the Bill generally, but I am quite prepared to listen to any Amendment from them when we get into Committee. Several other provisions might be introduced in Committee. For instance, the noble Lord the Member for East Suffolk moved a Resolution, which was only lost by the casting vote of the Chairman—namely, that any one selling game should take out a licence for doing so. And another useful suggestion has been made to me—namely, that game-dealers should keep a book, in which they should enter the names and addresses of all those from whom they purchase game, and which book should be open to inspection. We have a precedent for this in the Pawnbrokers' Act, a similar provision in which has had the effect of increasing the facilities for detecting crime. In the Committee last year we had two divisions on what I may call the main points of this Bill. One division took place on the Amendment of the hon. Member for Leicestershire; and it was this—that rabbits should be struck out of the game list. That Amendment was carried by 11 to 7. The hon. Member for Norfolk moved that hares should be included in that Amendment; but on a division the proposal was defeated by 10 to 8, still showing that the opinion of the Committee was strongly in favour of taking hares and rabbits out of the game list. It must not be supposed that I am propounding any new principle. The main proposal is that hares and rabbits should be taken out of the game lists. The first time that was proposed was in 1867, when the hon. Member for Perthshire did me the honour of putting his name on the back of the Bill I then introduced. Hon. Members on the opposite side of the House have therefore heard of this proposal before. I trust that in the remarks I have made I have said nothing that would tend to provoke any bad feeling or increase the bitterness which unfortunately prevails in many parts of the country on this much vexed question. I have endeavoured to steer clear,



and I am convinced, from what I have heard, that those who oppose this Bill will not pursue a different course. Great courtesy was shown by the Mover of the Amendment in giving me notice of his intention, even before the Bill was tabled. If in my remarks I have said anything to remove his objections—if he considers that there are any good points in the Bill, I would put it to him whether he would not obtain his object as well by allowing the Bill to be read a second time, and move in Committee any Amendments he wishes, and which I should be glad to consider. I can assure the House that I feel the sooner this question is settled the better, because I am convinced that if a moderate measure is not accepted, the House will soon have to consider a much larger scheme. I thank the House for allowing me to detain them so long, and I beg to move that this Bill be now read a second time.

Motion made and Question proposed,  
“That the Bill be now read a second time.”—(*Mr. M'Lagan.*)

MR. ASSHETON CROSS: I must apologize to the House for rising so early in the debate and interposing between the hon. and gallant Gentleman (Colonel Alexander), who has given Notice of an Amendment; but as I am obliged to leave the House on other business, I think it only right that the House should know what the views of the Government are before I am called away. I may state at the outset that no one feels more than I do the great attention which the hon. Gentleman (*Mr. M'Lagan*) has given to this important subject. He was a Member of the Select Committee which inquired into this subject last year, and no one on that Committee took a more active and useful part. It was essential that the Committee should obtain full information as to the law of Scotland on this subject, in order that it might be considered in relation, not to the case of England alone, but in relation to the whole United Kingdom. I must, however, state that the Government feel compelled to oppose the measure he has brought in, and for the reasons which I will now give. In the first place this question of the game laws affects the whole of the United Kingdom, and not Scotland alone; whereas the provisions of this Bill are restricted to Scotland

alone, and that involves the objection that it makes the law of Scotland differ still more widely from that of England, instead of following the recommendation of the Committee to make the law of Scotland assimilate to that of England. A still greater objection to the Bill consists in the sweeping character of the measure as declared in Clause 4, for that clause repeals all statutes, laws, and usages relating to the protection of game, or of any wild animal classed or named in any Act of Parliament along with any game, as defined in the Bill, with a view to its protection, which may now be in force in Scotland. That is undoubtedly a sweeping proposition, and is one of the largest measures to be in the hands of a private Member which I ever knew laid on the Table of this House. I may say, further, that in order to carry such a measure at the hands of a private Member a considerable amount of justification would be required. I must say, further, that even should the Bill be accepted by the House it would not be a settlement of the case. It is clear that this Bill is not, and cannot be, a settlement. We have a Bill by another private Member dealing with the same subject in an entirely opposite spirit. If this Bill should pass—as I hope it will not—we shall have another Bill brought in, and then the House would discover that it had satisfied nobody—that it had unsettled everything and settled nothing. If the hon. Gentleman will look at the scope of this Bill, I think he will see why it is that it settles nothing. In the first place, those who advocate the total abolition of the game laws cannot be expected to be satisfied by this Bill, for it contains stringent regulations for the protection of game; therefore they would remain unsatisfied. Those who take the opposite view of the case, and wish game to be preserved, would be equally unsatisfied, because, although it is true that there are provisions for protecting certain game, yet while hares and rabbits are taken out of the game list, the question of trespass is left undealt with. The hon. Member proposes, no doubt, to make the law of trespass more stringent with regard to winged game; but hares and rabbits having been taken out of the list, the Bill goes directly in the teeth of the recommendation of the Committee, that if hares and rabbits were taken out

*Mr. M'Lagan*



there must be a more stringent law. This is the fatal objection which the Government take—that hares and rabbits are taken out of the game list; yet the land is left totally unprotected in regard to trespass committed in pursuit of hares and rabbits. I believe that if the Bill were passed into law, the persons first to cry out against its operation would be, not the landlords, but the tenants. If Parliament throws open the land to all persons who may come upon it to shoot hares and rabbits—which will then be regarded as vermin—you cannot but expect there will be plenty to overrun the land when they know they cannot be punished for doing so. The damage to the crops that will then take place will really be due to our action in passing this Bill. The hon. Gentleman (Mr. M'Lagan) says there are provisions which would do away with that, by making the sellers of game subject to licence and registration. But if hares and rabbits are no longer game, no trespass could take place in respect to them, and therefore no protection would be afforded in this way. These are the objections we have; and we say that if any private Member of this House brings forward a Bill on the game laws, he must deal not only with part of the subject, but with the whole of it—he must not only protect the tenant from the ravages of an excessive quantity of game, but he must protect both the landlord and tenant from damages done by trespassers. When we come to the question of night trespass—which is dealt with by the 9th section—I have always understood the law, not of England only, but of Scotland also, to be that persons who go out armed late at night really do not come under the game laws at all, but that the penalties of the law are directed against persons who go out armed in such a way as is likely to lead to a breach of the peace, and are not game laws but peace preservation laws. I believe that is the view that all learned Judges have taken of this law. Why treat as belonging to game what should be treated as a matter for the preservation of the public peace? But if hares and rabbits are taken out of the game laws, and are left at the mercy of whoever chooses to pursue them, night poachers will still go out in large numbers—and the same breaches of the peace will take place as at the present

moment—without being liable to the penalties provided for the infraction of the game laws. I will not go further into the details of the Bill. Some of its provisions may be good; but the Government object to the vital principles of the measure, and I trust the House will not agree to the second reading.

COLONEL ALEXANDER: We have been told, Sir, on high authority, no less than that of the hon. and learned Member for Denbighshire (Mr. Osborne Morgan), that speeches in this House are frequently intended for others than those who actually listen to them, and without entirely subscribing to that doctrine, I may say there are circumstances which will not allow me to give a silent vote on this occasion, and which compel me to state the course which I feel it my duty to pursue in connection with the second reading of this Bill. For, Sir, inexperienced as I am in the forms and procedure of this House, I cannot conceal from myself, and I think many hon. Members will acknowledge the substantial accuracy of my assertion, that a practice is beginning to obtain—a practice, I venture to think, by no means to be commended—of voting for the second reading of a Bill, not because its principle is approved, but—and I do not say this in any offensive sense—in order to save appearances and to avoid the imputation of hostility to reforms which the Bill may attempt, though indeed vainly, to promote. In short, Sir, to adopt the expressive language of the right hon. Gentleman at the head of Her Majesty's Government on another occasion, hon. Members, and especially Scotch hon. Members, are “very nervous” on the game question. I myself own to some degree of trepidation, for when I was canvassing the constituency which I have the honour to represent—not at the last, but at the penultimate General Election—a rabbit, I think, was brought in on a pole, and some attempt was made to establish a mysterious connection between that interesting animal and the right hon. Gentleman the present First Minister of the Crown. But, Sir, I cannot admit the claim of hon. Gentlemen opposite to a monopoly in this question; it is not a party question, and, moreover, ought never to be made a party question. Hon. Gentlemen sitting on these benches are quite as much interested as hon. Gentlemen opposite

in the welfare of the agricultural classes, and in promoting that good feeling between landlord and tenant at which all legislation ought to aim, but which the Bill now before the House will, as I venture to think, and as I shall presently attempt to show, entirely fail to secure. The first question we have to ask ourselves is—Does any grievance exist? Sir, I have no hesitation in answering that question in the affirmative—not relying on my own unassisted observation, which in such a matter I should be inclined to distrust, but on the Report of the Select Committee of this House, over which the right hon. Gentleman the First Lord of the Admiralty last year presided, and of which the hon. Member for Linlithgowshire, the father of this Bill, was a member. That Committee, after examining 1 Scotch gentleman learned in the law, 18 Scotch tenant-farmers, 10 Scotch proprietors, 2 Scotch chief constables, 2 lessees of shootings in Scotland, 1 Scotch game dealer, 2 Scotch factors, 2 Scotch legal officials, and 1 Scotch forester, drew up a most exhaustive Report, in which they say, “they have found that in Scotland a much stronger feeling has been evoked by the preservation of game than in England.” And why? Because, they add, “this is partly due to the excessive preservation of ground game on certain large estates, and to the sale of the game from those estates.” Sir, we may judge how excessive the preservation of ground game must be when we read that the number of hares and rabbits produced in the United Kingdom is about 30,000,000 annually; and although, doubtless, they supply about 40,000 tons of food, still, as the Committee observe—

“There can be no question that the existence of a large number of hares and rabbits upon an arable farm is most prejudicial to its profitable occupation, and your Committee cannot too strongly reprobate the practice of some landlords and their shooting tenants of keeping up a large stock of those animals on cultivated lands, to the injury of the crops of the farming tenants.”

But, if I wanted further proof of the existence of a grievance, I should find it in the crop of Game Bills which annually flourish so luxuriantly in this House. Admitted, then, the grievance, where are we to look for a remedy? Sir, if I could find it within the four corners of this Bill I would not say one word in

deprecation of its provisions. But does the hon. Member for Linlithgowshire believe—does my hon. Friend the Member for Dumbartonshire believe—does any hon. Member whose name is on the back of the Bill believe—that if it becomes law the irritation on the question will subside, and that its annual ventilation in this House will be permitted to drop? Without pretending to the gift of second sight, I venture confidently to predict that when, Sir, at the beginning of next Session you take the Chair of this House, the hon. Member for Forfarshire will give Notice of his intention, on an early day, to move for leave to bring in a Bill to amend the law relating to wild animals in Scotland. Sir, I turn to Clause 4 of this Bill, and perhaps it will be ungracious in me to make any comment upon it after what has been said by the hon. Member for Linlithgowshire. He says the dates contained therein are a mistake, and may be amended in Committee. The clause makes it an offence to destroy game, other than partridges, pheasants, and grouse, between the 10th day of December and the 12th day of August following. I must say that when I looked at the birds comprised in the term game—including woodcocks, snipes, and the varieties of wild ducks—I certainly was astonished. I was under the impression—though if this clause is right my impression was wrong—that those birds were at their very best during the months of December and January. But, as the hon. Member says he will amend this clause in Committee, I will not say anything further on the point except that as the Bill has been reprinted since the beginning of the Session, I think it would have been as well had such a glaring error not appeared in it. But while talking of Committee, I may say I have heard that it is the intention of many hon. Members, I will not say on which side of the House they sit, to allow this Bill to go into Committee and there endeavour to emasculate it. I do venture to hope the House will not allow these hon. Members to indulge in such a caprice, and will not suffer its valuable time to be wasted by endeavours in Committee to mould an unworkable Bill into shape. Let those hon. Gentlemen rise in their places to-day—there is plenty of time between this and a quarter to six—and stating openly their opinions on the subject, let

*Colonel Alexander*

them vote "Aye" or "No" on this Motion. Sir, Clause 10 of the Bill appears to be principally devised in the interests of proprietors of newspapers and sheriffs' clerks, for under it anyone wishing to have a deer park or warren must register it annually, paying to the sheriff's clerk a fee of 10s. for such registration, and must thereafter advertise once a week for four successive weeks, the fact of such registration each year in each of such newspapers as are published in the county, and as if that was not enough, he must further put up, and maintain, in not less than two conspicuous places on the land enclosed, notice that the land is thus registered. But if this clause confers a benefit on newspapers and sheriffs' clerks, the next, Clause 11, appears to be conceived, not directly perhaps, but indirectly, in the interest of the poacher; for although by it any person having the right to kill game may require a person trespassing in pursuit of game to quit the land, and if he refuse to give his name to apprehend him—that is to say if he can—a matter not always so easy perhaps as the authors of this Bill imagine—such person may always plead that he is not in pursuit of game but of wild animals not protected by the Bill; and I must say that I think this very extraordinary, for on turning to the draft report proposed by the hon. Gentleman opposite last year in the Committee of which he was a Member, a cheap and summary process of injunction or interdict against the trespasser in the Sheriff's Small Debt Court similar to that suggested by Mr. Hector, sheriff's clerk of Renfrewshire, was specially recommended. You thus abolish, not in favour of the tenant farmer, but of the poacher, what has been well termed "a discriminating law of trespass." Clause 13 provides that the right of killing and taking game shall not be effectually reserved by a lessor unless the lease set forth the annual value of the right so reserved. Now, I venture to think the House will be of opinion that this clause is both objectionable and unworkable. For supposing the game on an estate to be worth £200 a-year, how is the value to be apportioned to each of the farms of which it is composed? Besides the value of game would not remain the same during the whole currency of a lease. Then, again, the same clause

precludes a lessor, who has reserved the right to the game, from letting it to any other person unless he shall first offer it to the lessee at a rent equal to the annual value as specified in the lease, and thus one tenant would have it in his power to destroy the letting value of an estate. Although the hon. Gentleman opposite has, it is true, offered to amend this clause, it would be much better not to allow a Bill requiring so many Amendments to go into Committee at all. Clause 14 provides that a lessor, who has reserved to himself—subject, of course, as I have already shown, to the superior right of the poacher—the exclusive right of killing game and wild animals, must be presumed to keep down the stock of game and wild animals on the farm to such an extent as shall be "fair and reasonable." But who is to define what is fair and reasonable? for what may appear so to one party may appear very unfair and very unreasonable to the other. Then, Sir, although Clause 15 makes a lessee who kills game or wild animals contrary to the terms of his contract with the lessor liable to damage, Clause 16 does not allow him to enforce the contract by injunction or interdict. Sir, a contract is either legal or illegal; if legal every facility should be given for enforcing it; if illegal it should not be enforced at all. This is an attempt to destroy freedom of contract by a side wind—

"Letting I dare not, wait upon I would."

Sir, I will not pursue further the various clauses of this Bill. A few of them are doubtless good, but they are more than counterbalanced by those to which I have alluded. The capital error of the Bill is, as I have shown, that it is conceived more in the interest of the poacher than of the tenant farmer. It is another of those Bills which only touch the fringe of a great question; and I venture to think the House does not want Bills which only touch the fringe of great questions. Sir, I ask myself, will the hon. Member for Leicester vote for this Bill? He would apply, I think, a more drastic remedy. He has placed it on record that he considers a hare quite as bad as a Bengal tiger, and he is therefore perfectly consistent in demanding the extermination of the noxious animal. Will the hon. Member for Forfarshire support this Bill? If he votes for it he

must certainly abandon his own. At any rate I claim the vote of the hon. and gallant General opposite, for I have heard that many of the farmers in Kincardineshire held a meeting and rejected the Bill without even looking at its provisions. A few were in favour of the Bill of the hon. Member for Forfarshire, but the greater number preferred that of the hon. Member for Leicester. The fact is, Sir, Her Majesty's Government can alone grapple successfully with this subject, and I must confess to some little feeling of disappointment that the right hon. Gentleman sitting below me did not express his intention of initiating next year legislation on the question. I had hoped the right hon. Gentleman the First Lord of the Admiralty, who presided over the Committee last year would have introduced a Bill, but he has now other fish to fry. Sir, we want a responsible Minister for Scotland, and till we have one, I am convinced that Scotch business will never be satisfactorily transacted in this House. The hon. Gentleman the senior Member for Glasgow stated, I think, the other day, that the late Government had to a certain extent at least neglected the interests of Scotland. Now, I must say the hon. Member was scarcely justified in his strictures, for no Government could I am sure be guilty of such huge ingratitude. Of the Scottish Liberal representation in the late Parliament, the right hon. Gentleman the Member for Greenwich might surely say—

“Mearum

Grande decus columenque rerum.”

“Among the faithless, faithful only they.”

Sir, I do not impute systematic neglect of Scotch interests to the late or any other Administration, but I do say that those interests are so complex and so multifarious that it would tax to the utmost even the great powers of the learned Lord Advocate and the right hon. Gentleman the Secretary of State to grapple with them successfully. Sir, I respectfully commend this question to the attention of the right hon. Gentleman at the head of Her Majesty's Government. I am sure he would earn the lasting gratitude of the people of Scotland by recommending to Her Majesty the appointment of a Minister for the management of business, exclusively Scotch; but pending the consummation of that happy event, I have a sugges-

tion to make, and it is, that my hon. Friend the Member for Invernesshire should undertake the duty, for which, indeed, he is so well qualified, of introducing a Bill next Session on this subject. Sir, it is not because I am opposed to legislation, but because I deprecate crude and ill-considered legislation—unsettling everything, and settling nothing—because I seek a solution of a thorny and complex question, and because I do not find that solution within the limits of this Bill, I feel constrained, though assuredly not without regret, to move that it be read a second time on this day six months.

SIR WILLIAM EDMONSTONE said, that as another Scotch County Member, he begged to second the Amendment which had just been proposed by his hon. and gallant Friend. At the same time, he desired to express his thanks to the hon. Member for Linlithgowshire (Mr. M'Lagan) for attempting to settle a question which at the last election in Scotland stood very often—he was speaking for himself—like a lion in the path, and it was high time it should be settled. The great recommendation of the hon. Gentleman's Bill was that it was the most moderate Game Bill that had been submitted to the House, but the question was one which it would not do to tinker; and, therefore, as the Bill would not permanently settle the question, he thought it would be better to reject it altogether. The desire of himself and his friends was to protect their tenants from damage being done to their crops by hares and rabbits. But, at the same time, they desired that the rights of property should not be infringed in any single way. In his election address he said he was willing to give the tenants of farms the right to kill hares and rabbits, but not more than that—he would not take them off the game list, because by doing so they would give great encouragement to trespassers and poachers. There was one grievance which he admitted—that was, that the renters of shootings naturally allowed hares and rabbits to increase. This, to a certain extent, was undoubtedly a grievance. On the whole, however, he thought the question was misunderstood, and was made a bugbear of. He quite agreed with the Home Secretary that if they intended to get a settlement of the question, it

*Colonel Alexander*



must be done by the Government, and not by a private Member. He should, therefore, be in favour of some pressure being brought to bear upon the Government to deal with the matter during another year.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Colonel Alexander.*)

MR. J. W. BARCLAY said, he had considered very carefully and very anxiously, and he hoped impartially, the Bill which had been introduced by the hon. Member for Linlithgowshire (Mr. M'Lagan), and after giving it his fullest consideration, and speaking, as he did and was naturally expected to do, to a considerable extent for the farmers of Scotland, he said on their behalf that he did not think the Bill very much improved the existing state of matters. Yet he should give it his support, chiefly as a protest against the existing system of game laws, and in order that there should be no appearance of conflict between private Members who were trying to force the Government to deal with that question. What, then, were the grievances alleged against the game laws, and how was it proposed to remedy them? The first class of objections regarded the penalties and the mode in which the laws were administered. It was urged against the existing system that it was defective, and that the penalties were altogether out of proportion to the offences committed; that they were oppressive, inasmuch as a man for the same offence might be convicted several times; and that they were unconstitutional, because in a recent Act of Parliament authority was given to a policeman to stop and search people on the public highway simply on suspicion. And further there was this anomaly—that under these laws, and also under the fishery laws, offenders might be convicted upon the testimony of a single witness. As to the objection that the administration of the law was unsatisfactory, he was very glad to point out an improvement in that respect in this Bill—the Bill proposed to transfer the administration from the Justices of the Peace to the Sheriffs. This was a very decided improvement; and as he understood that the practice of convicting offenders on the testimony of one

witness would be abolished, game would no longer be placed upon an exceptional footing from property. It would, in fact, require as much evidence to convict for poaching in future as it would for felony. As regarded the objection that the penalties were excessive, he must say that in his opinion the penalties provided in the Bill seemed quite as excessive as under the existing system. One of the penalties proposed was penal servitude for one year. But he believed this was contrary to the statute respecting penal servitude, which said that no term of penal servitude should be less than five years. In another part of the Bill the accumulation of penalties was retained. An individual for trespassing in search of game might be convicted no less than four times—in the first place for concealing his name if he declined to give it; in the second place, he might be convicted for trespass; in the third place, he might be sued for ordinary trespass; and in the fourth place, fined for shooting without a game licence. Now, he did not think this Bill, as regarded these penalties, was any material improvement upon the existing system. The second class of objections arose out of the relations between landlord and tenant, and the relations of these two to the public. The tenant complained that he was bound by conditions which he was powerless to resist, and compelled to keep any number of wild animals for the sole benefit of his landlord. Now, if there was one point about the evidence of last year which was prominently brought out, it was that the tenant was powerless to resist the conditions which the landlord chose to insist upon. On all the large estates in Scotland there were certain regulations or conditions concerning the leasing of farms, and under these conditions, which were printed, hares were almost invariably, and rabbits frequently, exclusively reserved for the landlord and his friends. In some cases it was specially provided that the tenants should have no claim for compensation, notwithstanding any amount of damage which might be done by the hares and rabbits. He thought that if the Courts of Law looked at these contracts in the same light they did at other contracts, they would say they were illegal and unjust. Now, it had been brought out strongly in the



evidence before the Committee, that the great damage to crops was that committed by hares and rabbits, and that nine-tenths of the complaints of tenants related to this. From inquiries he had made, he believed that if the tenants were allowed the control of hares and rabbits on their own farms, they would be satisfied:—even those tenants who complained of damage done by winged game said, that if they could get the control over hares and rabbits they would be content. This Bill proposed to deal with this grievance, which was the great grievance of the tenant farmers of Scotland; but in taking hares and rabbits out of the game list, as far as he could see, it handed them over to poachers. He did not see how it could be otherwise. If hares were diminished, the price of them would rise in the market, and a good many people in the towns would prefer a night's poaching to an honest day's work. If, however, there was no other remedy for the grievance than the extermination of hares and rabbits, he would accept that remedy—though he confessed, as regarded hares, he should do so with regret. As to rabbits there was little difference of opinion. They were unmitigated nuisances on arable land under all circumstances; and if they were to be allowed to remain in sandy districts, they ought to be enclosed in warrens. As he had just said, if the grievance complained of by the farmers was only to be remedied by the extermination of the hares, he was quite ready to accept the remedy; but to his mind the simplest, the common-sense, and the intelligible remedy of the grievance was to hand over the control of these hares and rabbits to the tenant farmers themselves. This would be acceptable to, and was desired by, the farmers. At the conference at Aberdeen, at which tenant farmers from all parts, and of all shades of opinion were present, they came to the conclusion that if the control of hares and rabbits was given up to them, that would be a practical settlement of the game question, so far as they were concerned, for an indefinite period. He was at a loss to understand why the hon. Member for Linlithgow had not adopted this course in framing his Bill. The hon. Gentleman was probably desirous of preserving the sanctity of contract. But he (Mr. Barclay) was convinced that there were

forces now in operation which would very soon cause the relations between landlords and tenants to be brought under the consideration of Parliament. Parliament having dealt with the relations of contract between every trade and profession in the community, would not hesitate, in the general interests of the public, to interfere with the relations and bargains existing between landlords and tenants—conditions which were of far greater importance to the country at large than some of the cases in which Parliament had already interfered. The hon. Member, however, did interfere with the sanctity of contract in his Bill—for the 13th clause declared certain contracts, which did not comply with certain conditions, null and void. The provision giving the tenant the option of taking the game, before the landlord could let it to a shooting tenant, was an interference with the freedom of contract. The provision for proceeding by way of interdict was an interference with contract, for if one of the parties to a contract broke it, the other party ought to be able to enforce it in the most effective manner. Moreover, he feared that the restrictions the Bill proposed to place on landlords would be illusory—for the landlord would still have full means of control over the tenant, so as to restrain him from killing the game on his farm. Then, as to deer forests. He was aware that many of the sheep farmers desired to have them fenced; but he entirely objected to recognize deer forests as a national institution. They were an entire mistake. They heard occasionally of the amount of money spent in deer forests; but he considered they were altogether a national loss, and in no shape were they national wealth. They were a convenience for wealthy people to spend their money. The population of the country near deer forests was banished, as was shown in the case of the north-west of Scotland. During the last 50 years, the population of the Highland districts had very much decreased in consequence of these deer forests. In former days many of the soldiers who fought so bravely in the Peninsula were taken from the glens of the Highlands of Scotland; but it would be difficult to find men there now for soldiers—they had been driven away. He would say that he had come un-

*Mr. J. W. Barclay*

willingly to the conclusion that although the hon. Gentleman (Mr. M'Lagan) had been most anxious to bring forward a measure to settle the question, yet in reality this Bill would not settle the question at all. It would not be acceptable to the proprietors, and although in some respects it would be acceptable to the tenants, yet a better method might have been found to meet their grievance. At all events there was no suggestion or improvement in the Bill which would justify the House or the country in regarding it as a settlement of the question.

MR. MARK STEWART: Sir, I have to ask the indulgence of the House while I address them for the first time. I thank the hon. Member for Linlithgowshire (Mr. M'Lagan) for the very calm and careful statement he made respecting this Bill. He did not say anything which ought to be concealed, and he gave the House the full meaning of all the clauses which he touched upon. But I must say there is an opinion prevalent in this House—at least, on this side—unfavourable to touching these game laws. I am not only interested in land as a proprietor, but I am one of the largest tenant farmers in the House. I can therefore sympathize with the grievances of the tenants as well as any one sitting on the other side of the House. This Bill, no doubt, cannot be considered as a perfect one. It is a somewhat lame attempt to heal what is termed a great grievance, but it does not do it thoroughly. Nevertheless, had I received any communications in favour of the Bill, I should have voted in favour of it; but all the letters which I have received—and I have received letters from many different persons in the country possessing great influence, and who have acquired great experience in this and kindred questions—and one and all of these persons tell me that although opposed to me in politics, they consider this Bill would not give the satisfaction which the hon. Member expects it would. Therefore it is a bad Bill. It is most desirable that this House should view this question from a Scotch point of view, and I should like to state to the House the reasons which influence Scotland generally in taking so very strong a view as regards the game question. It must not be forgotten—what has been alluded to to-day—that one of the great

causes of the evils complained of, is the fact that gentlemen—many, I am afraid, Members of this House—go down to Scotland in the autumn and expect to find as well preserved covers there as they have in England. Under ordinary circumstances such a system might work; but it does not suit the peculiar circumstances of Scotland. In that country, as hon. Members are aware, farming is carried on in a far higher manner than it is generally in England. Especially of late years, land has there been so highly cultivated, that the necessary expenditure incurred in cultivating a farm, instead of amounting, as formerly, to £10 per acre, would, in these days, come to about £15 per acre, and the consequence is, that men of great enterprise and spirit enter into farming, determined to secure every benefit they know the soil will give them, if they properly attend to it. That being the case, it is natural for them to be annoyed when they find their crops devoured and destroyed by hares and rabbits. There are two views in this House and in the country as regards this measure. There is the landlord's view—which at least is not unreasonable. He has probably given a high price for the purchase of his land, and perhaps finds that whereas he can get only  $1\frac{1}{2}$  or  $1\frac{1}{4}$  per cent for his property for agricultural purposes, he can get 3 per cent more for the shootings upon it. Under these circumstances, he says to himself, "I have a perfect right to do what I please with my own." Unhappily, however, the landlord does not live all the year round in Scotland—or, at all events, not in the same place—and then he lets his shooting to other persons, who do not know the tenantry, and refuse to listen to their just complaints. Then as to the tenant farmers, they take two views of the question. There are those who think they have a right to the ground game. We know that the opinion of one Select Committee was totally adverse to their doctrine. They reported that the opinion had been strongly impressed on the Committee that some sort of concurrent and inalienable right to the game should be given to the tenant by law, but they were convinced that means would be found of avoiding such a law; and in corroboration of this view they called attention to the evidence of Mr. Matthew. He was a gentleman

who had permission to kill rabbits, but nevertheless in a few years gave up his farm, finding it impossible to profitably farm his lands without doing what he had reason to believe his landlord disapproved of. The persons who lay claim to this right support their claims by the example of other questions, such as the Factory Acts, under which women and children are taken under the especial care of the Legislature. But we in Scotland consider generally that the Scotch farmer is perfectly able, as a rule, to take care of himself. It is only when we get landlords who do not take this reasonable view, and who are not content with one rent for the agricultural value of their land, but demand another rent for the shooting of game on that land, the difficulty arises. A more moderate view is entertained by another part of the tenantry. This view is, that the hares and rabbits should be given to the occupiers of the soil. That view I should not oppose, provided it were fenced in with certain requirements which I consider necessary to protect the occupier on his farm. My right hon. Friend on the Treasury Bench (Mr. Cross) has stated his view that the clause of this Bill which would enable the occupier to prosecute trespassers is not sufficiently strong; the whole thing therefore would fall to the ground, for whenever it was attempted to arrest the poacher, he would tell the person who came up to him that he was not in pursuit of game, but only of hares and rabbits. My hon. Friend, the Member for Linlithgow, referred to one instance as regards the necessity of maintaining the law of trespass; but it must not be thought there are no others, for in 1830, when the French Revolution flooded the whole land of France with its revolutionary ideas, the whole of the game laws were swept away; but no sooner did the Parliament sit again than Petitions were presented for the re-enactment of the game laws, and the law of trespass was restored. One of the best uses of these discussions in this House—although nothing very particular may come of them this Session in the way of legislation—will be to ventilate these views throughout the whole length and breadth of the country. It is not the generality of landlords who love to torture their tenants and take double rents out of them; and every year, as the world gets older, landlords become wiser,

*Mr. Mark Stewart*

more care is taken to promote that good feeling and cordiality which ought to exist between landlords and tenants; and their object becomes not merely to get as much as possible for their property, but to extend and cultivate good relations between themselves and those who are placed by Providence under their care. I would like to say one word more about this subject, and that is to express my surprise at not having heard a word on the part of the Government to indicate that they would bring in a measure next Session. We hardly expected them to legislate this Session. In consequence of the peculiar circumstances in which this Parliament was assembled, the question was not properly brought before the constituencies. In Scotland, owing to the short time we had to prepare for the elections, and the hasty manner in which we had to make our speeches, the main topic of conversation, and of debate, was the Budget of the supposed incoming Government, and consequently these social questions, of which I maintain the game laws is one, and, with which the Conservative Government are bound to deal, were almost entirely overlooked. Some hon. Members seem pledged to go a great length to support claims never seriously discussed before; but the generality of candidates had none of those questions put to them which might have been expected at an ordinary General Election. The constituencies have hardly had time to consider the question, and consequently opinion in many parts of the country is not so matured as to have enabled the Government to take a statesmanlike view of the whole subject, and at once to bring in a measure dealing with it. While admitting this, however, I do humbly but earnestly urge on Her Majesty's Government the desirableness of doing something next Session. Matters have reached such a crisis that the subject may be said to be ripe for legislation. I therefore hope the Conservative Government will do something to assist Scotland in her present difficulty. What did the late Government do? It came in with a majority of 120, and talked about the game laws—and all it gave Scotland was a gun tax. Next Session I shall humbly endeavour, together with this question of the game laws, to urge the Government to give some redress to the payers of that

tax. I must thank the House for giving me such a kind and patient hearing, for although I have not submitted any new plan for the settlement of this difficulty, what I have submitted, I have put before them in as concise and as clear a form as I could, and I have only further to say that I am heartily anxious to have this question amicably settled, alike, in the interest of the farmers and of the landlords.

MR. MAITLAND said, that being in some measure responsible for this Bill, and also as representing an important county (Kirkcudbrightshire) in Scotland, in which there existed considerable feeling on this subject, he desired to be permitted to say a few words. The reason he supported this Bill lay in its extreme moderation. He fully admitted there were considerable imperfections in it; but he thought that from its very moderation, the measure was calculated to produce a great amount of satisfaction in Scotland. He was aware that neither of the extreme parties would be perfectly satisfied with it. The thorough-going game preservers would dislike any alteration of the law in this direction; and on the other hand, the uncompromising enemies of the game laws would of course consider this a very inadequate measure of reform. But he believed that the farmers and general public of Scotland would derive advantage from the Bill. He wished to call attention to the great difference of opinion that existed among hon. Gentlemen opposite who opposed the Bill. On the one hand the Home Secretary opposed the Bill; but did he propose to do anything himself? Why, he proposed to do absolutely nothing—he did not even say he was thinking of preparing a measure. But what did the Conservative Members from Scotland — his followers — say? Why, the hon. and gallant Gentleman who moved the Amendment objected to the Bill because it merely touched the fringe of a great subject. Now, he confessed that he did not wish any such tremendous measure as that suggested by the hon. and gallant Gentleman; nor did he believe the farmers and people of Scotland considered any very revolutionary measure necessary. There were, however, two other Bills dealing with the game question before the House. There was the Bill introduced by the hon. Member for Leicester (Mr. P. A.

Taylor), which proposed the total abolition of the game laws—with the object, as every one knew, of effecting the total extinction of game. Now, this would, no doubt, be what the Home Secretary called a “final” measure; but would hon. Members opposite really prefer such a measure to the present Bill? He was very well aware that they did not. Then there was the Bill of the hon. Gentleman the Member for Forfarshire (Mr. Barclay) the principle of which was to prohibit all contracts between landlord and tenant, as to hares and rabbits. Did hon. Gentlemen opposite like that better? He confessed that, for his own part, he disliked the proposal in principle, and he believed it would be found unworkable in practice. How would such a measure as that of the hon. Member for Forfarshire serve the purpose intended — namely, the protection of the farmers’ crops? His proposal was that tenants should have an inalienable right to kill rabbits and hares “on the land occupied by them.” But, as everyone knew, hares and rabbits frequented the covers and plantations, and could not be effectually kept down except by persons having access to these covers, and that was a suggestion the House would never entertain. But as the covers and plantations were never included in the lands let to the tenant, he feared that the Bill of the hon. Member for Forfarshire would prove of very little value, and it would do a thing they would all dislike, and only be induced to do under the strongest necessity—namely, to interfere with the sanctity of contract. On the whole he believed that the present Bill would prove a wise measure of reform, and he hoped the House would view it favourably. At the same time, his hon. Friend (Mr. M’Lagan) was willing to allow many amendments in Committee; and, for his own part, he felt bound to say he thought the Bill required very many.

GENERAL SIR GEORGE BALFOUR said, he intended to vote for the Bill, not because he approved of all its details, but to show that the people of Scotland desired an alteration of the game laws. The hon. and gallant Member (Colonel Alexander) had referred to the neglect of Scotland by the last Government. He joined with him in saying that the late Government was exceedingly neglectful of Scotland, and



he hoped the present Government would give more attention than they did to Scotch questions. The question of the game had excited such an outburst of feeling as it would not be safe to neglect, and he trusted that the appeal to the Government would be acceded to, and that before this year closed a proper Bill would be brought in for removing the evils of the present system.

MR. PELL said, he should vote in favour of the Bill, because he considered it to be a moderate measure. There were one or two other reasons which induced him to give it his support; first, it did not interfere with the law of contract in the way other Bills that had been introduced proposed to do; next, it was directly against preservation of rabbits under the game laws, and he was in favour of that. It did not meet the entire case, and no doubt it was a very difficult thing to deal properly with that inconvenient little animal. He was glad, however, that his hon. Friend had made the attempt; and if there were defects in the Bill, they could be remedied in Committee. He believed, many of the complaints they heard arose from want of knowledge as to the law of trespass. It had been suggested, that if hares and rabbits were taken out of the game-list, the farmer could be protected by the passing of a more severe trespass Act. He was inclined to believe neither the English, Scotch, nor Irish people would be satisfied with such a change. The only proper remedy they could have against trespass, was to kill the animal down to such an extent as to do away with the inducement to professional poachers to go in pursuit of him. There were other Bills to which he might be permitted to refer. There was the Bill of the hon. Member for Leicester (Mr. P. A. Taylor). That hon. Gentleman sat on the other side of the House, and he might say the Radical had no better friend in the world than the rabbit. So long as that little animal could be sprung like a mine upon them when they went to visit their constituents, so long would he be the friend of those who, without seeing their way clearly to deal with the question, might find him very useful in defeating a Tory candidate. In his county there was a division of opinion as to what should be done with the obnoxious little animal. For his own part, he disliked him on the

table, he disliked him in the field, and he disliked him most of all as a political agent. As to the Bill of the hon. Member for Forfarshire (Mr. Barclay), they were told it was received with great favour in the country; but it contained provisions to which he could never assent for giving inalienable rights to tenants. He did not believe it was possible to carry out such a scheme. For these reasons he would vote for the second reading of the measure now before the House.

MR. MUNTZ said, he quite agreed with the hon. Gentleman who had just spoken, that the rabbit was the best friend the Radical ever had. If it had not been for the excessive preservation of ground game they would never have had the question brought before the House. Only those who had fully investigated the question, like those who had been Members of the Special Committee, could know the prejudicial effects of this over-preserving of ground game; and this, not on the food of the people only, but on their social condition. Though he did not agree with all the provisions of the Bill before the House, he would vote for it as a protest against nothing being done. He did not agree, however, with the hon. Members who thought the Bill should apply only to Scotland—he thought it should be for the whole British Kingdom. He hoped a satisfactory measure would be brought forward by the Government so as to settle this troublesome question.

SIR WILLIAM CUNINGHAME said, he would vote for the Amendment, but he did so with regret, because he knew the tenant-farmers of Scotland would be disappointed to learn that no measure having for its object the improvement of the game laws was to be proceeded with this Session. He, however, considered it a lesser evil to postpone the settlement of the question for a short time, than to accept a measure so objectionable as the Bill before the House. No doubt there were some good proposals in the Bill—such as the assimilation of the law of Scotland to that of England as to the ownership of game, and the provision for altering the Court before which game cases were to be brought; and those suggestions would be very useful on any future occasion when the preparation of a measure on this subject was under the consideration, as he trusted it would be shortly, of the

Government. His objection to the Bill differed entirely from that taken by the hon. Member who spoke last but one, who objected to it as not being wide enough. He (Sir William Cuninghame) objected to it because it was too wide; because it attempted too much and went too far—indeed, the very first clause swept away the whole of our existing game law. He did not think the tenant-farmers wished to see the game law abolished and a new one substituted; they wished to have the over-preservation of game discouraged, and a simple and easy method of settling the compensation to be paid for damage done by game, but he believed they were in other respects satisfied with the law as it was. It was a serious matter to begin by abolishing our whole existing law, which had grown up with the growth of the nation, and had adapted itself to our customs and habits, in order to substitute a new plan, which, at the best, was not likely to be an improvement. It might not be easy to pick holes in the Bill before the House, but for all that it might not be found to work well in practice—even if it did it would be a new law. He could conceive that the poacher himself would have a greater objection to be punished under a new law, than under one to which he was accustomed.

MR. DILLWYN said, he should vote for the second reading of the Bill, because it contained two principles of which he approved. In the first place, there was the principle that hares and rabbits were to be exempted from the general category of game, subject to certain conditions as to trespass, which would, no doubt, have to be altered. The other principle was that the jurisdiction should be altered, and taken from the justices of the peace. If these principles were adopted for Scotland, and were found to work, they would soon be adopted in England; and if they did work well, he believed they would go far to settle the game question in this country.

MR. BROMLEY DAVENPORT said, the hon. Member (Mr. Dillwyn) was in favour of taking the jurisdiction away from the justices of the peace; but he had omitted to say to whom he proposed to give it. Or, did he intend to make poaching no crime at all? It had been remarked that the entire difficulty rested with the ground game. Now, he lived

in a district which bred hereditary poachers. Formerly these people sallied forth with guns after pheasants, and they had dangerous affrays with the keepers. During the last few years, however, they had given up guns, and had contented themselves with netting rabbits, of which there were great numbers. He did not say this was a proper thing for them to do, but it was better than going after pheasants, and if they did away with ground game, these poachers would take to the gun again, and shoot pheasants; if they could not get pheasants or rabbits, they would take chickens, and if they could not get chickens, they would go to something else.

VISCOUNT MACDUFF said, that at the late elections in Scotland an eminent Member sitting on the other side of the House said he thought the tenant should have a joint right with the landlord in ground game. He sincerely hoped that that hon. Gentleman and other hon. Members would use their influence with the Government to induce them to bring in a Bill dealing with this subject. He approved the fencing of deer forests whenever practicable, but that was not always the case.

MR. M'LAGAN, in reply, said, the Home Secretary had stated this Bill would give satisfaction to no one, but he begged to remind him that it was a Bill of compromises, and he asked the House to support it as such, because that was its merit. The right hon. Gentleman the Home Secretary had further stated that it would not settle the question. Well, if the Government were prepared to bring in a Bill which would settle the question, he should be very much surprised, because he believed no Bill proposing anything short of the actual abolition of the game laws would be satisfactory to the hon. Member for Leicester (Mr. P. A. Taylor).

MR. GREENE said, he thought the Scotch Members were perfectly capable of taking care of Scotland, but there were such things as epidemics, and if the principles of this Bill were adopted in Scotland, they might hereafter be proposed for England; and to that he objected. This Bill would allow men to go on other people's land and take hares and rabbits, and there was to be no punishment whatever. He did not object to their excluding hares and rab-

bits from the category of game, provided they gave a satisfactory law of trespass; for he believed the tenants would always be willing to provide their landlords with a sufficient quantity of game for sport. As to the feeling in Scotland, he had never made an arrangement with Scotchmen without feeling that they had the best of the bargain.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 127; Noes 192: Majority 65.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

#### SUPPLY.

#### THE WEST AFRICAN SETTLEMENTS.

##### POSTPONEMENT OF ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [27th April], "That Mr. Speaker do now leave the Chair" (for Committee of Supply); and which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is of opinion, that, in the interests of civilization and commerce, it would not now be desirable to withdraw from the administration of the affairs of the Gold Coast,"—(*Mr. Hanbury*),

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

MR. HANBURY said, he would withdraw his Resolution on this subject, on the understanding that he would be able to bring it forward on Monday next as a substantive Motion.

Amendment, by leave, *withdrawn*.

Committee *deferred till To-morrow*.

#### WAYS AND MEANS.

Resolution [April 28] *reported*;

"That it is expedient to amend the Acts relating to the Customs."

Resolution *agreed to*.

*Instruction* to the Gentlemen appointed to prepare and bring in a Bill or Bills pursuant to the Resolutions which upon the 23rd and 27th days respectively of this instant April were reported from the Committee of Ways and Means, and agreed to by the House, That they do make provision therein to the said Resolution.

*Mr. Greene*

#### OFFENCES AGAINST THE PERSON BILL.

Select Committee *nominated*:—MR. CHARLEY, Mr. COLE, Mr. GREGORY, Mr. ALFRED MARTEN, Sir CHARLES MILLS, Mr. MUNDELLA, Mr. STANSFELD, Mr. WATNEY, Mr. WHEELHOUSE, Mr. WHITWELL, and Mr. ATTORNEY GENERAL:—Five to be the quorum.

House adjourned at ten minutes before Six o'clock.

## HOUSE OF LORDS,

*Thursday, 30th April, 1874.*

MINUTES.]—PUBLIC BILLS—*First Reading*—Betting\* (47).

*Second Reading*—Boundaries of Archdeaconries and Rural Deaneries\* (28); Bishop of Calcutta (Leave of Absence)\* (35); Marriages Legalization (St. Paul's Church at Pooley Bridge)\* (42); Marriages Legalization (St. John the Evangelist's Chapel in the Parish of Shustock)\* (45).

*Third Reading*—Gas Orders Confirmation\* (25), and *passed*.

#### NEW PEER.

Henry Thomas Baron Ravensworth having been created Earl of Ravensworth, of Ravensworth Castle in the county palatine of Durham—was (in the usual manner) introduced.

#### RAILWAYS—THE QUEEN'S ANSWER TO THE ADDRESS.

THE LORD STEWARD (The EARL BEAUCHAMP) *reported* the Queen's Answer to the Address of Monday last, as follows—

"I have received your address praying that a Commission may be appointed to inquire into the causes of accidents on railways and into the possibility of removing any such causes by further legislation; and I have given directions that a Commission shall issue for the purpose which you have requested."

#### BISHOP OF CALCUTTA (LEAVE OF ABSENCE) BILL—(No. 35.) (*The Marquess of Salisbury*.)

##### SECOND READING.

Order of the Day for the Second Reading, read.

THE MARQUESS OF SALISBURY, in moving that the Bill be now read the second time, said, that in the year 1870. an Act was passed which empowered Her Majesty to make rules providing

for leave of absence of Indian Bishops on furlough or medical certificate; but it was provided that existing Acts of Parliament should not be interfered with by such rules as regarded the present Bishop of Calcutta. The old rules did not allow a Bishop to obtain leave of absence until he had been 10 years in his diocese, but then he might have leave of absence on furlough for 18 months. The new rules provided that a Bishop might have leave of absence after being five years in his diocese, but that the absence should then be only for six months. This, it was thought, was a much more satisfactory arrangement. The Bishop of Calcutta asked to be brought within it, and the present Bill would bring about this result.

*Moved*, "That the Bill be now read 2<sup>a</sup>."—(*The Marquess of Salisbury*.)

*Motion agreed to*; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House, *To-morrow*.

#### RAILWAYS, IRELAND — GUARANTEES FROM COUNTY RATES.

##### OBSERVATIONS.

LORD CARLINGFORD rose to call the attention of the House to the mode in which Guarantees from the County Rates to Railways in Ireland are granted or refused. The matter was one of very considerable importance in reference to the extension and completion of the railway system of Ireland by the construction of lines and branches, no small number of which were still required, and remained to be made in the poorer parts of the country. The present seemed an appropriate moment at which to ask the attention of Her Majesty's Government to the subject, because, as they knew, the other night, in another House, the *coup de grâce* was given, for a long time to come at least, to the controversy as to the purchase of the Irish railways by the State. Without going into the merits of that controversy, he would express his opinion that it was a great advantage to Ireland that a decision had been come to on the question. It would have been much to be regretted had the uncertainty on the subject been continued, because such a feeling would have operated to prevent all parties in Ireland from turning their attention to the completion of the railway system.

But he desired to call their Lordships' attention to the question of guarantees. One means by which railways had been constructed in Ireland was that of a guarantee of a part of the required capital by the county, or a portion of the county, through which it was to pass, to the promoters of the particular line. In the minds of some persons in this country there was a feeling against the guarantee system, and when any proposition made in respect of Ireland was dismissed with the objection that it was "exceptional," he regarded the objection with suspicion. Things were so exceptional in Ireland that exceptional measures must be applied in that country; and were such measures necessary in any other part of the Empire he would not object to them on the ground of their being exceptional. A considerable number of useful lines of railway had been made in Ireland during the last 20 years, under the system of county or baronial guarantee—lines which but for the guarantee of the county rates would not have come into existence. In Ireland the Grand Jury performed much the same fiscal functions as were discharged by the Quarter Sessions in this country. It consisted of the principal landowners of the county. There were also in Ireland bodies called Road Sessions, or Baronial Sessions, or Presentment Sessions; one of which assembled in each barony of the county, and at which a certain number of the ratepayers were associated with magistrates. Those ratepayers were not chosen by popular election—they were selected by the Grand Jury from a number of the highest ratepayers of the county. That state of things, though it did indirectly import the representative element into the taxation, was not satisfactory. He thought it should be made impossible for the magistrates attending *ex officio* to be present in such numbers as to overpower the ratepayers, which might be the case at present. He thought there ought to be a real representation. He did not, however, go so far as to say that the present state of things was a mere sham or an unreality, or that, as a matter of fact, it did not give considerable control to the ratepayers. He believed it did;—he believed that county expenditure was very seldom forced on the ratepayers by the magistrates, and he did not think it would be possible, after



due notice of application, to force on the ratepayers guarantees for Irish railways. Of the lines to which guarantees had been granted within the last 20 years or thereabouts, the Midland Great Western was the most important. The guarantee in that case seemed to have been badly framed, and had not turned out satisfactorily for the counties which gave it; but he was not prepared to say that without it that important railway would have been made so soon. The guarantee in that case amounted to £500,000. Then came a line to which a guarantee of £125,000 was given. It was the Killarney Junction Railway—a very useful line, but he doubted that the required capital could have been raised without the guarantee. The Limerick and Ennis Railway obtained a guarantee for £75,000, the Tralee and Killarney line one for £55,000, and the West Cork one for £66,000. All those lines had been made. Guarantees had been granted to other lines, some of which had been made, while some had not. In none of those cases had there been any opposition which made itself heard before a Committee of this or the other House of Parliament; but he was not aware that any evidence was offered in support of the guarantees, beyond the resolutions of Grand Juries, which had not always been carried unanimously. It was only the year before last that for the first time one of these guarantees was opposed before a Committee of this House—namely, the Athenry and Tuam line. It was petitioned against by a rival company, the Midland Great Western, and two or three powerful landowners. One ground of the opposition was that the guarantee had not been sanctioned by the Presentment Sessions. This was so new an idea that the Treasurer of the County of Mayo said—“Until lately I never heard of the baronies being asked;” and certainly there had been cases of six or seven guarantees in respect of which the assent of Presentment Sessions had not been held to be necessary. However, counsel against the Bill warned the Committee that they would be making a precedent if they passed a guarantee in respect of which there was any want of assent, however small, and the guarantee clauses were thrown out. In 1873 the promoters of the Ennis and West Clare line came before Parliament to in-

crease the rate per cent of their guarantee from 4 to 5. The case was heard by a Committee, of which Mr. Floyer was chairman. It was proved that no resolution of ratepayers had been adopted in favour of the Bill. They did not appear to have been consulted at all, the promoters thinking that the resolution of the Grand Jury was enough; but the objection was held to be fatal, and the Bill was thrown out. He did not find that there had been any other case where a Bill of this kind had been opposed before a Committee, on this ground, until the other day, when the Sligo, Leitrim, and Northern Counties Railway Bill came before a Committee of their Lordships' House. He had no interest whatever in this Bill, but he must say the line appeared to him to be a useful one as forming a very desirable connection between Ulster and Connaught. The High Sheriff of Sligo called together two meetings of the ratepayers, and resolutions in favour of the guarantee asked for in the Bill were carried by those meetings. Out of six baronies in the county of Sligo five assented to it, and out of six in the county of Leitrim, five signified their assent. There was no small amount of opposition to it; but according to the case of the promoters, a large majority of the landowners and ratepayers were in favour of the guarantee. Certainly if he had had the honour of a seat on the Committee he should have liked to hear the whole case. What alarmed him and others who looked upon those guarantees as of great importance was, that the Bill had been rejected by a Committee of their Lordships' House after a larger amount of proof of assent to the guarantee than, perhaps, had ever been given in any other case that had come before Parliament, and upon principles laid down by the Chairman which would be fatal to any conceivable guarantees. They feared lest the rejection of this Bill should form a precedent by which future Committees would feel themselves bound—and that, he thought, would be a great misfortune to some parts of Ireland. It was clear that the time had come for laying down some rules on the subject. His reason for troubling their Lordships with it was the hope that those who took an interest in the question of Irish railways, and the Government, would agree with him that the matter required

to be looked into and put upon a proper footing. If any amount of dissent on the part of a minority of the ratepayers were to be conclusive against a guarantee, that ought to be laid down in order that parties might be saved the trouble and expense of bringing before Parliament cases to which there was some small amount of opposition. The amount and the kind of assent required ought to be stated if the assent of a majority was to prevail in any case. He thought it would not be difficult to devise rules, whether by Standing Orders or by statute, under which guarantees would be encouraged under proper conditions; but promoters should be required to produce formal proof of assent by the Grand Jury and of assent at the Baronial Sessions, with the number of ratepayers voting for or against. Bills containing a provision for a guarantee should not be passed even as unopposed Bills unless such proofs were given to the satisfaction of that House or the other House of Parliament. Again, he thought this was a case in which the useful system of Provisional Orders, introduced of late years, might well be applied. He did not see why the Department of the Government which issued those Provisional Orders should not, if it appeared necessary, hold a local inquiry, and in that way obtain information on which Parliament might form a sound opinion. This was a time at which it would be wrong to discourage the attempts of districts in Ireland to provide themselves with improved railway accommodation; and he therefore hoped that the Chief Secretary for Ireland and the President of the Board of Trade would look into this matter carefully, and turn their attention to devising a system which, while it would give the means of security to the ratepayers, would at the same time encourage the granting of guarantees for well laid-out and useful lines of railway.

LORD INCHQUIN said, he must impress upon their Lordships the necessity of looking carefully into these guarantees and giving every security to the ratepayers. In the case of the Ennis and West Clare Railway, which had been referred to by the noble Lord who had just spoken (Lord Carlingford) no notice had been given to the ratepayers of the intention to apply for the guarantee of £50,000 which passed

for that line in the first instance. The promoters, finding they could not carry out their work, did obtain the consent of the Grand Jury for their application to increase the rate per cent from 4 to 5. When they came before the Grand Jury one half that body was at luncheon, and they got the guarantee through. He was in the Grand Jury room at the time; but being an Irish Peer could take no part in the business. Afterwards a unanimous resolution was passed against the proposal at two Presentment Sessions, and he assisted some other gentlemen in an opposition which led to its rejection by a Committee of the House of Commons. He had mentioned to their Lordships that the original guarantee was £50,000. How much did they suppose was the subscribed capital when that guarantee was obtained? A sum of £3,000, of which £1,500 had been spent. He was sorry to say that in Ireland it was a very easy thing to perpetrate a job; and it should be made a rule that a guarantee by local authorities towards the construction of a line of railway should never be beyond the amount of shares taken. He entirely agreed with the noble Lord (Lord Carlingford) that every power should be given to the local authorities in Ireland necessary to promote the prosperity of the country, but care should be taken that they have no authority to abuse it.

EARL BEAUCHAMP said, that having been Chairman of the Committee on the Sligo, Leitrim, and Northern Counties Bill, he hoped he need scarcely assure their Lordships that the members of that Committee, like all their Lordships, were anxious to promote the welfare of Ireland; but the question brought forward by the noble Lord was of wider importance than the fate of any particular line of railway. As to the case of that line, he ought, perhaps, to observe, in the first instance, that neither a Presentment Sessions nor a Grand Jury had any statutory power in respect of a guarantee. Any resolutions which they might come to would be entitled to due consideration and weight as being the opinions of persons of property and intelligence residing in the district of the proposed line; but they could not be held to, in any way, bind a Committee of that or the other House, or to influence the decisions of Parliament. In the case referred to, the

Committee were anxious to guard against precedent, and to deal with the case on its own merits. With that view, having heard the preliminary objection, they decided that they would not refuse to go into the case, though they intimated that they would require strong reasons of public policy to justify them in granting the guarantee in the face of an opposition of ratepayers. On hearing the case of the promoters they found that while the line was perhaps a very good one, running through an agricultural county, it presented no features which took it out of the ordinary category and raised in its favour considerations of public policy. In the evidence in support of the Bill, every witness on behalf of the promoters told the Committee most distinctly that without a guarantee it would be impossible to construct the line. Yet, after it had been decided not to allow the guarantee, there was still a desire shown, notwithstanding the alleged impossibility, to proceed with the Bill. Except on the point of a guarantee the Committee were of opinion there might be a good case; but having decided adversely on a matter which had been stated by witnesses of high authority to be of vital importance, they were unable to pass the Preamble. It was not correct to say that they had come to that resolution on account of objections raised by only one or two ratepayers. There had been much evidence given which showed that opinion in the localities affected was very much divided on the subject. Moreover, the Great Western Railway of Ireland had contended that its interests would be injured by the guarantee being given. The case of the Midland Great Western Railway Bill of 1849 had been referred to as affording a precedent in favour of guarantees; but it must be remembered that that Bill was introduced on the authority of a responsible Minister of the Crown, and with the sanction of the Chancellor of the Exchequer. If guarantees were to be proposed at all, that was the way in which the Bill should be brought forward. He thought it would be well if the House were to pass a Standing Order for the purpose of guiding Committees on these questions; if that could be done Committees would be relieved from a very disagreeable position. The expenditure of public money by local bodies in Ireland was a matter which, in his opinion, ought to be

*Earl Beauchamp*

very jealously guarded—for a meeting ostensibly called for the purpose might very easily be diverted to another, and the person affected would have no proper notice of what was going on. The Committee were extremely anxious to refrain from setting any precedent in the case, deeming it to be more advisable that their Lordships' House of Parliament should frame rules on the subject.

THE EARL OF MORLEY said, that in defending the Committee of which he had been Chairman, the noble Earl (Earl Beauchamp) had entered into matters entirely irrelevant to the subject introduced by his noble Friend (Lord Carlingford.) It seemed to him that if the remarks of the noble Earl meant anything, it was that all the Acts which had been passed sanctioning guarantees such as those to which he referred were utterly invalid. He quite concurred in the view that it required very strong grounds of public policy to justify such sanction if there were an opposition, however small, of the ratepayers; but the doctrine of the noble Earl went to the extent of saying that if there was any opposition at all no guarantee should be granted. Now, he should like to know, what measure of public advantage there was in the adoption of which any large body were likely unanimously to concur? There were reasons why on grounds of public policy a line intended to connect two important districts of Ireland should have been sanctioned, if it were found possible; but if the doctrine laid down by the noble Earl were carried to the extreme length to which he seemed to wish to push it, very few important railways would be made for many years to come in Ireland. Alluding to the Midland Great Western Railway, the noble Earl said that they opposed a Bill with reference to which as cesspayers they would be called upon to enter into a guarantee; but nothing would be easier than to exempt that railway from the operation of its clauses. It was somewhat unfortunate, he could not help thinking, that the Committee was presided over by a noble Earl who declared himself to be opposed to all guarantees, and he thought his noble Friend below him (Lord Carlingford) had ample justification, in what fell from the noble Earl, for the Motion which he had submitted to the House.

LORD COLCHESTER said, he was glad that this subject had been brought

before the House. He had been the only dissentient from the decision of the Committee, as he had not been satisfied that any very large number of ratepayers objected to the guarantee asked for. The difficulty was to say what meeting of ratepayers or others should be necessary for sanctioning the making of a line through any district, and therefore he was not surprised at the decision of the majority of the Committee, although, in his opinion, if the Committee were satisfied that the line would be a good one, and that the opposition to it was small, the guarantee ought to be sanctioned. At any rate, the noble Lord opposite (Lord Carlingford) had done good service in bringing the question before the House.

THE DUKE OF RICHMOND said, he quite concurred with his noble Friend (Earl Beauchamp) that this subject was one of great importance, and that the noble Lord lately at the head of the Board of Trade had rendered good service by calling attention to it. As to the remark of another noble Earl opposite (the Earl of Morley), that it was unfortunate that the Committee of last Session should have been presided over by a noble Lord who had a predisposition against the system of guarantees, it was an entire error to suppose that his noble Friend (Earl Beauchamp) had any such predisposition. No doubt the subject was surrounded by very great difficulty. If the noble Lord wished to carry out the system of guarantees throughout Ireland in a more practical form, it seemed to him that nothing short of an Act of Parliament could do it, and that in dealing with the question they would have to reconsider the whole question of local taxation in that country. The noble Lord suggested it should be a Standing Order that if a guarantee was given, the Committee should accept that guarantee as an earnest that the country was in favour of the line; but he went on to add that he was not prepared to state the exact proportion of the assent and dissent which should be required. It appeared to him (the Duke of Richmond), however, that was the whole question, which should be left to the Committee, and he believed it was the practice of both Houses of Parliament to leave all those matters to the discretion of the Committee to which Railway Bills were referred. Each case

must stand on its own merits, and therefore to issue a Standing Order that those guarantees should be accepted in the manner suggested would be to establish a most inconvenient course of proceeding.

LORD CARLINGFORD was understood to say he had not meant to suggest that.

THE DUKE OF RICHMOND : Another noble Lord opposite (the Earl of Morley) appeared to him to have a wrong impression as to what those guarantees really were. As he himself understood the matter, the Presentment Sessions, who voted those guarantees for the railways throughout the country, were acting *ultra vires*, and they would not be *intra vires* until Parliament had passed the Bill sanctioning the object which the Sessions had in view, and it had become the law of the land. The noble Earl (the Earl of Morley) had said that if a railway company might be taxed for the benefit of another company which was going to compete with it, there would be nothing easier than to put in a clause exempting that company from the operation of the Act. But why should they not equally exempt all the other parties who objected to the guarantee, and who did not think they would be benefited by the line. As had been pointed out, a public meeting might be called to consider a scheme for a line of railway, but the majority who might decide in favour of the line might not have an acre of land within the barony. The more they looked at the question, the more difficult and intricate they found it to be, and he did not, as at present advised, see any mode of dealing with it by a Standing Order; while if they attempted to legislate upon it they would have to re-open the whole question of local taxation in Ireland.

LORD REDESDALE thought that matter required the grave consideration of Parliament. Nothing, in his view, was more certain than that anything in the way of a guarantee should be exceptional, and not made a general practice. If they required a certain number of assents to the construction of railways, and thereupon sanctioned guarantees, they might render it impossible for railways to be made independent of guarantees. He considered that railways might be made in Ireland without guarantees.



THE MARQUESS OF LANSDOWNE desired some specific assurance from the Government as to the course which would be pursued, or whether these questions would be left practically to the decision of the Chairmen of the separate Committees. He believed that the system of guarantees might be extensively and safely applied to the making of railways in Ireland, provided the persons on whom the risk of them ultimately fell had a proper opportunity of electing whether they would grant them or not. As he understood the Irish Grand Jury system, that proper opportunity was not afforded at present. That was not the right occasion on which to discuss the merits of the Irish Grand Jury system; but he might say that the representation accorded under it to the cesspayers and the occupiers of land was almost entirely illusory, and that ratepayers might very easily find themselves saddled with burdens of which they had previously no conception. He trusted that good would result from the attention which had been called to that subject that evening.

THE MARQUESS OF SALISBURY said, that if the system of guarantee in connection with railways in Ireland was to become customary instead of exceptional with regard to the ordinary modes of prosecuting public works in that country, it would be necessary to take into consideration some of the difficulties which would arise. In the first place, it would be necessary to re-cast the Grand Jury system in Ireland, so as to give a fair chance of being heard to the occupiers and owners who were to be compelled to take a share in the speculation; and this would obviously be a very difficult task. Again, if a district was called upon to guarantee a railway, was it not just that the guarantee should be confined to the district to be benefited by the railway? Was it fair to call upon one barony to guarantee a railway which was to be constructed through another barony, merely because they were both in the same county? In order to introduce any system of guarantee that would give satisfaction to Ireland they must re-cast the system of local taxation and re-construct the area of local administration. In no country had guarantees been so largely tried as in India, and he did not dispute that under particular circumstances they did confer

great advantages upon a country; but the result shown by the last balance-sheet of India was that we were paying Indian railway shareholders £1,700,000 a-year in dividends, for which the Government received no direct returns. It was desirable to consider whether local funds should be brought in aid of local extension. He thought it would be better for local bodies to make railways by money borrowed by themselves.

THE EARL OF LIMERICK said, the Grand Juries in Ireland were, to a certain extent, less representative bodies in Ireland than the Quarter Sessions were in England, and he thought some steps should be taken to secure that these guarantees should be given only after the strictest inquiry. Though not absolutely opposed to guarantees, he urged that there should be better means of ascertaining the view of the ratepayers, and that they should not have to incur the expense of opposing Bills before Committees; an expense from which he had himself shrunk in the case of a scheme to which he entertained objections. Such schemes should also undergo more stringent scrutiny. Peers were excluded from Grand Juries, on which many large estates were consequently not directly represented. He hoped the Government would deal with the matter.

THE EARL OF BANDON hoped that, the notion of State purchase having been abandoned, at least for the present, railway companies should be allowed greater facilities for amalgamation and other purposes. But for guarantees many of the most important lines would never have been made, and while some guarantees were levied on the county cess, others were levied on the Poor Law valuation, which was deducted by tenants from the landlords.

LORD ORANMORE AND BROWNE stated that in most parts of Ireland the persons, who were to represent the ratepayers at Special Sessions, were chosen by ballot by the Grand Jury from the highest cess payers, and as they generally out-numbered the magistrates attending Special Sessions, the ratepayers could not be taxed without the consent of their representatives.

LORD EMLY stated that the barony constables returned 100 of the highest ratepayers to the Grand Jury, who selected 10 of them to constitute the

**Baronial Sessions.** All the magistrates of the county being, however, at liberty to attend, they sometimes swamped the cesspayers, and a large number of them attended on the Bill lately before the Committee being considered. He regretted the decision at which the Committee had arrived, as it involved a principle which, if not fatal to guarantees, would certainly throw cold water upon the granting of them. As he understood the noble Marquess opposite (the Marquess of Salisbury), he would object to the granting of a guarantee under any circumstances in the case of an Irish railway.

**THE MARQUESS OF SALISBURY** said, he objected to the establishment of a system of guarantees.

**LORD EMLY:** No such system had been advocated by his noble Friend (Lord Carlingford) who introduced the subject. Some of the small railways in Ireland could not have been made unless undertaken by some powerful Company, or by means of a guarantee. He was acquainted with the case of one Irish railway which was constructed by funds obtained on a guarantee, and after a few years it became prosperous and its shares were now nearly at par. He hoped the Government, in the interest of Ireland, would devise some system by which a fair expression of the opinion of the ratepayers might be obtained, and he suggested that such opinion could be fairly elicited through resolutions of the Boards of Guardians or the expressed consent of, say, two-thirds of a given number of the largest cesspayers.

**LORD NAPIER AND ETTRICK** pointed out that the cases of India and Ireland in reference to guarantees were different. The Government gave the guarantee for India and the particular locality to be benefited, but did not do so in Ireland.

**LORD WAVENEY** concurred in the views expressed by the noble Marquess (the Marquess of Salisbury) that to establish a system of guarantees would be in effect to create a new means of local taxation. He thought the Committee had arrived at a proper conclusion.

House adjourned at half past Seven  
o'clock, till To-morrow, half  
past Ten o'clock.

## HOUSE OF COMMONS,

Thursday, 30th April, 1874.

**MINUTES.]—SELECT COMMITTEE—East India Finance,** Mr. Fawcett, Mr. Campbell-Bannerman, Mr. Dalrymple, Mr. Balfour, and Mr. Dunbar *added*.

**SUPPLY—considered in Committee—NAVY ESTIMATES.**

**WAYS AND MEANS—considered in Committee—Consolidated Fund (£13,000,000).**

**PUBLIC BILLS—Select Committee—Holyhead Old Harbour Road \* [51], Building Societies \* [55] nominated.**

**Considered as amended—East India Annuity Funds \* [30].**

**Third Reading—Game Birds (Ireland) \* [37], and passed.**

### CONTROVERTED ELECTIONS — COUNTY OF LEITRIM.

**MR. SPEAKER** informed the House, that he had received from Mr. Justice Lawson, one of the Judges selected for the Trial of Election Petitions, pursuant to the Parliamentary Elections Act, 1868, a copy of an Order relating to the Election for the County of Leitrim. And the same was read, to the effect following:—

“In the matter of the Election Petition for the County of Leitrim, Francis O’Beirne, Petitioner, William Richard Ormsby Gore, Respondent.

“On hearing Counsel for the Petitioner for an Order that the Officer do place the Petition in this matter upon the List for Trial, and that thereupon the Petitioner be at liberty to proceed, and on hearing Counsel for the Respondent;

“It is ordered by his Lordship that the Motion be refused with costs, and that the Petitioner do pay same to the Respondent when taxed and ascertained in the ordinary manner.”

### THE TRUCK SYSTEM—MASTERS AND SERVANTS—LEGISLATION.

#### QUESTIONS.

**MR. MACDONALD** asked the Secretary of State for the Home Department, If it is his intention this Session to introduce a Bill for the better suppression of Truck or a Bill for the payment of Wages, in conformity with the recommendation of the late Royal Commission on the subject; also, if it be his intention this Session to introduce a Bill for the amendment of the Law relating to compensation in case of injuries or deaths caused by negligence of employers, or persons acting in their place or in their behalf?

**MR. ASSHETON CROSS** said, in reply to the first Question of the hon. Member, that it was not the intention of

the Government this Session to bring in a Bill for regulating the Truck System. No one entertained greater objections to the system than he did; but hon. Members must remember that a Commission had investigated the question, and that a Bill had been brought in in consequence of their Report, although not very much success had attended the whole operation. The matter was under the consideration of the Government, but they had no intention of introducing a Bill on the subject this Session. The subject referred to in the second Question was at the present moment under the consideration of the Government.

#### STRIKE OF AGRICULTURAL LABOURERS—QUESTION.

SIR CHARLES W. DILKE asked the Secretary of State for the Home Department, Whether it is true that boys at a Reformatory in the parish of Milborne St. Andrew's, Dorset, supported wholly or in part by grants out of public funds, are being employed by farmers in that neighbourhood to do the work of agricultural labourers now on strike; and, if so, whether he will take steps to prevent the boys in public Reformatories from being so made use of?

MR. ASSHETON CROSS: Sir, I have made inquiries on this subject, but I have not been able to obtain any definite answer as to actual facts. I understand that it has always been the practice of the Superintendent of this Reformatory to allow the boys at the Reformatory to work for the farmers at a certain rate of wages, and that in consequence of that the Reformatory is kept up practically without any expense to the Country and with great advantage to the farmers. So far as I have been able to learn, there has been no difference in their employment since the matter to which the hon. Baronet refers in his Question has taken place, and in my opinion there ought not to be any difference, but they ought to work exactly for the same terms and at the same places as they did before.

#### FRENCH COMMERCIAL TREATY, 1872—BRITISH SALT—QUESTION.

MR. WILBRAHAM EGERTON asked the Under Secretary of State for Foreign Affairs, What steps have been taken under the Treaty of Commerce to obtain from the French Government a

reduction of the Duties on the importation of British Salt into France?

MR. BOURKE: I am well aware, Sir, that this is a Question in which my hon. Friend's constituents take a great interest. It is now the subject of negotiation between Her Majesty's Government and the French Government. It would not be expedient to lay Papers before Parliament at present; but I can assure my hon. Friend that the matter is receiving the best attention of the Foreign Office.

#### PREVENTION ACT—INSPECTORS OF NUISANCES—THE POLICE NUISANCES. QUESTION.

MR. NEVILLE-GRENVILLE asked the Secretary of State for the Home Department, Whether he is prepared to alter the order issued by the Home Office respecting the appointment of police as inspectors of nuisances, so that in future the sanitary authority may, if they think fit, appoint police to perform these duties?

MR. ASSHETON CROSS, in reply, said, he presumed this Question had been put to him in consequence of the action the Government had thought fit to take in regard to the duties of the police in Scotland. It was not the intention of the Government to make any alteration in the existing order with regard to the employment of police in sanitary matters in England. There was a clear distinction between the cases of England and Scotland. In the first place, the police in England were under the authority of the Home Office; but so far as sanitary matters were concerned they would be under the direction of the Local Government Board. In the second place, there was in Scotland a universal feeling that the police should be employed as Inspectors of Nuisances; whereas in England public opinion ran for the most part in a contrary direction.

#### THE SUEZ CANAL — THE INTERNATIONAL COMMISSION.—QUESTION.

MR. O'DONNELL asked the Under Secretary of State for Foreign Affairs, If he could inform the House whether it be the fact that the Suez Canal Company was unrepresented on the International Commission which recently altered the Canal Transit Dues in the interest of the vessels using the Canal?

*Mr. Assheton Cross*

**MR. BOURKE:** Sir, the International Commission, which assembled at the invitation of the Porte at Constantinople in October last, was composed exclusively of delegates of the Maritime Powers. It follows that neither the Suez Canal Company nor any of the ship companies whose interests were opposed to the Canal Company could have a representative on the Commission. But M. de Lesseps was free to bring his case before the Commission; but he never showed any disposition or expressed any wish to attend. In point of fact, his views were amply considered by the Commission, and were fully stated and powerfully advocated by M. Rumeau, one of the French Delegates.

#### THE NATIONAL GALLERY—THE NEW BUILDINGS.—QUESTION.

**MR. WAIT** asked the First Lord of the Treasury, Whether it is the intention of the Treasury to authorize the necessary expenditure for the construction of the New National Gallery, in accordance with the understanding long ago come to with Mr. E. M. Barry, a new façade being rendered necessary owing to the unsightly additions lately made to the present building?

**MR. DISRAELI:** I can find, Sir, no evidence whatever of any understanding being come to with Mr. E. M. Barry about a new façade; but really the pith of the Question is whether Her Majesty's Government intend to erect under the circumstances a new façade. Now, the erection of a new façade is a very delicate business, and considering we have not yet been three months in office, I may say I shall require considerably more time to inquire into the subject before I could embark in such an enterprise. At present Her Majesty's Government have no intention whatever of proposing to the House the erection of a new façade.

#### SAVING LIFE FROM SHIPWRECK—MR. ROGERS' PLAN.—QUESTION.

**MR. HANBURY-TRACY,** asked the President of the Board of Trade, Whether it is the intention of the Government to adopt Mr. Rogers' plan for saving life from shipwreck; or, if they are not yet prepared to do so, whether they propose to take any, and if any, what steps for further testing the utility of

that invention, with the view of its general adoption on the coasts of the United Kingdom if proved to be more efficacious and certain in its results than the existing rocket system?

**SIR CHARLES ADDERLEY:** Sir, Mr. Rogers' plan for throwing a double rope, with blocks attached, at one cast out of mortars into ships in distress, instead of the generally adopted practice of throwing first a rope by a rocket over the ship along which a block may be communicated, has had a fair trial, in accordance with the inventors' conditions, by the Board of Trade, and the received practice has been preferred by all the best authorities. There appears no reason for a repetition of the trial.

#### INTOXICATING LIQUORS BILL.

##### QUESTION.

**MR. MONTAGUE SCOTT** asked the Secretary of State for the Home Department, Whether under the new Licensing Bill, in taking away the discretion of magistrates as to fixing the hours of closing, it is intended also to take away their power of extending the time under special circumstances?

**MR. ASSHETON CROSS,** in reply, said, that he regretted that the Bill was not already in the hands of hon. Members. He believed it was to be in the Vote Office that night, where any hon. Member might procure a copy of it. It was not the intention of the Bill to prevent the granting of occasional licences, by the Justices, such as the hon. Member alluded to in his Question. The only difference was to this extent—that the occasional licences which authorized the sale on special occasions and in other than licensed premises were granted now by the Excise and countersigned by a single magistrate, whereas by the new Licensing Bill they would be less restricted than at present. Occasional licences did not at present, except in the case of a public dinner or ball, authorize any sale beyond one hour after sunset. It was proposed by the Bill to authorize the sale in these cases up to any hour not later than 10 o'clock, which the Justices might specify in the occasional licence. In the case of an occasional licence granted on the occasion of a public dinner or ball, the practice had been to specify in the licence the hour at which the licence should



expire, and liquor might be sold up to any hour without restriction if the Justices so specified it in the licence. That was retained in the present Licensing Bill.

#### AGRICULTURAL STATISTICS.

##### QUESTION.

MR. HEYGATE asked the President of the Board of Trade, If there is any reason why the agricultural statistics of the United Kingdom should not be taken in the month of June, and a summary of them published in July?

SIR CHARLES ADDERLEY: Sir, the Agricultural Returns are taken in the third week in June of each year; but owing to the very great number of Returns it is impossible to compile a summary within two or three months after their collection.

#### PARLIAMENT—THE WHITSUNTIDE RECESS.—QUESTION.

MR. NEWDEGATE asked the First Lord of the Treasury, When he proposes that the Whitsuntide Recess should commence, and whether he intends that it should extend over the third of June?

MR. DISRAELI: Sir, I shall propose to the House that we should adjourn on Friday, the 22nd of May, and meet again on Monday, the 1st of June.

#### WESTERN AUSTRALIA—EMIGRATION. QUESTION.

ALDERMAN SIR JAMES LAWRENCE asked the Under Secretary of State for the Colonies, Whether it is the intention of the Government to carry out the agreement entered into with Western Australia for free emigration to that Colony?

MR. J. LOWTHER: Sir, this question was considered by the late Government, by whom it was decided that there were not sufficient grounds for recommending to Parliament a Vote for the purpose of sending emigrants to Western Australia.

#### WAYS AND MEANS—COMMITTEE.

*Considered in Committee.*

(In the Committee.)

*Resolved*, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March

1875, the sum of £13,000,000 be granted, out of the Consolidated Fund of the United Kingdom. Resolution to be reported *To-morrow*; Committee to sit again *To-morrow*.

#### SUPPLY—NAVY ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) £602,757, to complete the sum for Wages to Seamen and Marines.

MR. SAMUDA said, that the statement of the First Lord of the Admiralty with regard to the state of the Navy had created a great deal of alarm; but he thought that on investigation it would be found that whatever were the shortcomings of the late Government, there was no necessity whatever, either for sensational Estimates, or for spasmodic shipbuilding. In dealing with this subject, he should accept the statement of the right hon. Gentleman, which was to the effect that we had 51 iron-clads built and building, but that really only 18 of them were fit for service. [Mr. HUNT: I said for the service of the year.] For the service of the year. The right hon. Gentleman first divided the ships into two classes—those suitable for sea-going, and those suitable for harbour defence, of which there were 41 of the former, and 14 of the latter. But then of the sea-going vessels 5 were building, which reduced the available force to 36—a number which was perfectly in accord with the Returns laid before the House. Of these 36, his right hon. Friend said that 9 might be considered obsolete, and 9 which were under repair, though not condemned, were likely to last only for short periods. Practically, then, we had 18 which were useful, and 18 which were useless for the service of the year; and of the latter, 9 were in a totally different category from the 9 which the right hon. Gentleman had referred to as obsolete. [Mr. HUNT: What I did say was that 9 were either obsolete or not worth repairing for sea-going purposes.] His observations intended to convey exactly what the right hon. Gentleman had just stated—namely, that they were actually or practically obsolete. The Committee would probably be of opinion that vessels undergoing a refit were in a totally different position from obsolete vessels. The proper way to look at the matter was that they could be used when refitted

*Mr. Assheton Cross*

and repaired; and if not available at the immediate moment they could be made so in a few months, and they would then be, as before, suited to the service of the country. If we considered what had been done on former occasions, we could estimate with great accuracy the time that would be required before those vessels could be brought into service. To take them in hand and render them effective lay entirely with his right hon. Friend opposite. If it were a question of some months, and some months only, his right hon. Friend would see that it would be one of his most important duties to make use of the power placed in his hands, and of the money voted by the House, so as to give us, as soon as possible, 27 instead of 18 effective vessels. He would refer to what had been done in the way of refits, in order to guide us as to what might be done. A Return had been laid on the Table of the House, on the Motion of the right hon. Gentleman the Member for Pontefract (Mr. Childers), and that Return was a copy of the Report of Sir Spencer Robinson, late Controller of the Navy, dated February, 1870, and was entitled a Review of Naval Expenditure for that year. He had abstracted from that Return information with reference to the time taken in refitting vessels of the class with which he was now dealing—namely, iron armour-clad vessels. Out of an immense number of vessels, he found that those longest under repair were the *Warrior*, the *Hector*, the *Royal Oak*, the *Resistance*, and the *Black Prince*, and the period from taking them in hand to fitting them out had been, on the average, something under 12 months. Suppose it came to the worst, and these 9 vessels should take an equal length of time to get ready, we should be reduced to the use of the remaining 18 vessels during the interval; but 12 months was an extremely long period, and if the occasion required it, they could be got ready in from six to eight months. It came to this, therefore, that instead of being reduced to 18 out of 36 sea-going vessels, we should be reduced to 27. And as to the remaining 9 having become obsolete, that was not to be regarded as unreasonable; and, indeed, the proportion of obsolete vessels to the total number was in accordance with past experience. If the House were not ac-

quainted with the rate of deterioration, it might be expected that the full number of vessels for which money had been voted should be ready when required. But it was absolutely impossible that this should be so. The first of the 36 sea-going iron-clads was built in 1861, and the last in 1873, and the depreciation of 9 of these vessels, by becoming obsolete in a period of 12 years, was justified by the experience of the 18 years from 1855 to 1873. In that period, according to the right hon. Member for the City of London (Mr. Goschen), 550,000 tons were built of all sorts, and at the end of it, 400,000 tons had to be struck off as obsolete, destroyed by wear, and tear, or lost at sea; that the actual loss was 22,000 tons a-year, and the loss upon the tonnage of all vessels built was 4 per cent per annum. From 1863 to 1873, 148 sea-going ships of 226,000 tons were launched, and during that time 215,000 tons were struck off the effective list. In those 10 years, the annual loss was 21,000 tons, or at the rate of 5 per cent. Nine out of 36 vessels in 12 years gave an average rate of 3 per cent only, and this was the percentage of vessels which had become obsolete according to the right hon. Gentleman (Mr. Hunt). The Committee would, therefore, be prepared to expect that 9 of these vessels should have become obsolete or depreciated, and assuming that it would be the duty of the Government to meet this depreciation out of the annual Vote, it would be necessary to build 9 vessels to replace those that were disappearing, and to add 3 for those that would become obsolete while we were building the 9, so as to bring the Navy up to its full state of efficiency. Whoever was at the head of the Navy, it must be expected that a certain proportion of the 39 vessels would always be disabled. In commercial operations, it was very well known that it was necessary to have 4 vessels for a service to be performed by 3, so that 1 might always be laid by; and it was only by having a fourth vessel for a service which required 3 to be at sea, that the mail service between Holyhead and Kingstown had run for 14 or 15 years with such great regularity. In the years 1866, 1867, 1868, and 1869, the average tonnage of ships of all sorts built was 25,000 tons, at an average yearly expense of £3,260,000. This in

cluded both building and repairs, and this tonnage and this expenditure would be sufficient, or nearly so, to give effect to the restoration of the obsolete ships and build others to meet future depreciation to the extent he had referred, in three to four years. If, therefore, the work were done as he had pointed out, we should have yearly from 15,000 to 18,000 tons of iron-clads, and from 8,000 to 10,000 tons of unarmoured vessels, without disturbing the programme of the year; and we should have the means, the House being content with the number fixed on to be completed, from the present moment, of maintaining the Fleet in the fullest efficiency, without materially adding to the Estimates in future years. A great error had been committed with respect to the Navy. The House had gone on from year to year with a policy which reached no farther than the year; whereas, not only greater economy, but a far better Navy, would be arrived at if a continuous policy were adopted. The First Lord of the Admiralty, with the best assistance he could command, both within and without his Department, should determine what number of vessels the country might safely rely on, and distribute the building of them over a period of years, leaving it to his successor as a recognized and well-matured policy, which should not be departed from, whatever party came into power, unless satisfactory reasons were shown to the House. This was the system pursued in the Foreign Office and in the India Office. The Navy was almost the only Department of the State in which it was not carried out. A national policy should be substituted for a party policy, and should be pursued in regard to the Navy, whatever party was in power. He could not too strongly impress this view on the right hon. Gentleman. One great advantage that would result from this proposal was that the right hon. Gentleman, having determined his policy, and obtained for it the assent of the House, the whole efforts of his Department would be employed in giving effect to it, and would be restrained from that discursive, inventive, restless course of improvement which they were now continually pressing forward for no other reason than that they believed it best for the work of the hour, and because no general course had been cut out for them, and

*Mr. Samuda*

adopted as a comprehensive scheme to be adhered to and carried out over a lengthened period. In this way, also, they would be enabled to arrive at some conclusion as to the best vessels they could lay down, and though it might be necessary to refer them to two or three classes, they would have a homogeneous Navy. It might be said this policy could not be followed, because a continual change was being made in guns for the Navy. Ships required to be altered to meet the change in guns, and what was settled in 1874 would be perfectly useless in 1879. This argument might have been very plausible some five or six years back; but the fact was that guns had overtaken the powers of resistance in the armour of ships long ago. Hon. Gentlemen would deceive themselves if they thought it would be possible to repeat the great effort made in 1867-8, when the late Mr. Corry was First Lord of the Admiralty. He then built 33,000 tons of shipping in a single year; but that was an exceptional period, following the commercial depression of 1866, and when the shipbuilding trade was absolutely prostrate. The Government was, therefore, able to avail itself, not only of the private shipbuilding yards, but also of a large number of men whom they had employed. But if any such attempt should be made now, there would be a great increase in the cost of production, work would be hurried, and it would not be so well done as when it was distributed regularly over a number of years; and this was a policy of so much importance, both as to the character of the ships that would be produced as well as the economy of producing them, that he could not too strongly urge it on his right. hon. Friend (Mr. Hunt). The next advantage to which he would refer was, that we should be able to be continually replacing those vessels which had become obsolete, by vessels of a newer type, and larger tonnage, and thus we should be practically increasing the power of our Navy without increasing the number of our ships. It was almost impossible to spend £200,000 in any additional vessels proposed to be built and in the repairs of sea-going vessels during the present year, and there need be no alarm that the Financial Estimates would be disturbed by any large amount of Supplementary Estimates. The *Devastation* would, he believed, be found to

be one of the best fighting ships in the Navy. He regretted that the First Lord of the Admiralty had relegated her to the inferior class of harbour ships; because he believed that if the emergency arose, and if her freeboard were raised still higher, the *Devastation* might safely go into any sea and fight anywhere. He had now to call the attention of the Committee to a most important matter. A new element of defence had cropped up during the last few years, in the torpedo, which might be made wonderfully effective as an additional armament to our ships. Torpedoes could now be carried in small boats of great speed, and four of these torpedo vessels might be built at a cost each of not more than £1,800 or £2,000. They might be carried in davits or on the deck of each of the large sea-going ships, and might be hurled against the enemy at a speed of between 14 and 15 knots an hour. It would be impossible for an enemy's ship to escape from these wasps, and at the same time to reply to the fire of the big ships. But valuable as the torpedoes were to the iron-clads, they were still more valuable to the unarmoured vessels. A great economy would result from using them in conjunction with unarmoured vessels, and in the next war they would play a great part in protecting the commerce of the country. He trusted that the First Lord would take a general and comprehensive view of these considerations, in which case he might maintain the Navy in an efficient state, without greatly exceeding the costs of the present Estimates, and avoid those continual disturbances of the Admiralty programme from year to year, which went far to diminish the confidence of the country in the strength and efficiency of the Navy.

MR. CHILDERS said, that when the Government of 1866 was formed, a portentous statement was made by the then First Lord of the Admiralty (Sir John Pakington) with respect to the condition in which his predecessors had left the Navy. He was asked in August, 1866, by a Member sitting on his own side of the House (Mr. Graves) for the names of the ships available for the Reserve for reliefs; and Sir John Pakington's answer was that he trusted he should be excused for not giving the names of these vessels, because if he did the list would unfortunately be a

very short one. The Reserves, he added, were by no means in a satisfactory state, so that the Admiralty had great difficulty in finding reliefs for ships as they returned from foreign service. And it appeared that this statement was not limited to the unarmoured Navy, for, in answer to a Question put by the hon. Member for the Tower Hamlets (Mr. Samuda), Sir John Pakington said, that "instead of overstating the disadvantageous situation of the country with regard to the Navies of other nations, he had rather understated it," and he then compared it with that of other countries. He said that the Italian Government had 15 or 16 iron-clads in commission, and had nine building. He said that the total strength of France in iron-clads was 58, including those termed "batteries," some of which were competent for coast defence, and that we did not possess the same class of vessels to nearly the same extent. Russia, he said, had 30 armour-clad vessels, a considerable number of which were turret-ships. America had 73 iron-clads, Brazil 5, Peru 2, and Chili 2. The First Lord of the Admiralty went on to say that we had only 33 of this class of ships, 30 of which were afloat, and three in the course of construction; and that if we desired to see England hold the position which she ought to hold, her Navy must not be allowed to remain unequal to that of foreign countries; and the right hon. Gentleman expressed a hope that Parliament and the country would be of opinion that he had not been unmindful of the great interests committed to his charge. These were most portentous and important statements, coming from the First Lord of the Admiralty. Who, then, was it that, in the opinion of Lord Hampton, had left our Navy in this unsatisfactory state? It was the Duke of Somerset. But a few days ago, in "another place," the Duke of Somerset seemed to have had especial pleasure in bringing against his friends precisely the same charge which had been brought against him by his former opponents, and from which his friends had done their best to defend him; and his right hon. Friend opposite (Mr. Hunt)—encouraged apparently by an attack coming from such a quarter—made, a few days ago in Committee, a speech relating to the present state of the Navy, which he (Mr.



Childers) might venture to say, however important it was, was paralleled by no statement ever made by a First Lord of the Admiralty in moving the Estimates, and certainly by no Minister, since he had been a Member of the House, in bringing before the House the annual account of his Department. His right hon. Friend introduced into that speech an element which he (Mr. Childers) ventured to say had never been introduced on any previous occasion into any speech made by a First Lord of the Admiralty or by a Secretary of War, for the whole of that speech, from beginning to end—eliminating from it the figures—was a party speech addressed to a party majority in the House. He hoped that speech would not form a precedent for speeches of Ministers moving the Estimates of their Departments. Our naval policy should, as far as was possible, be uniform and continuous, and the introduction of party politics should, above all things, be avoided in such a speech. What was the substance of that speech? It was this—that the state of our sea-going Navy was anything but satisfactory. The right hon. Gentleman the First Lord said we had at this moment only 14 effective sea-going iron-clad ships. No other result, the right hon. Gentleman said, could have been anticipated from the shipbuilding policy of the last few years, and the reductions effected by the late Government. These reductions, he said, were due to political necessity, and that when that necessity had passed, the Estimates rose to a point almost as high as that at which they had been left by the late Mr. Corry. And he complimented his right hon. Friend the Member for the City (Mr. Goschen) for his endeavours to correct the many evils resulting from the previous mistaken reductions, and that demands for increased expenditure were daily pressed upon him. His right hon. Friend laid peculiar emphasis on these words—that he did not “mean to have a fleet on paper; that whatever ships appeared as forming a part of the strength of the Navy, must be real and effective ships, and not dummies.” Addressing the Opposition benches, he declared that the country had scarcely a second-class Navy, and that we had a second-class Navy was the fault of the Liberal Government.

*Mr. Childers*

MR. HUNT: I never said so. I never said a word about a second-class Navy.

MR. CHILDERS: What he meant was, that the effect of the expressions used by the right hon. Gentleman was that the country was led to believe so. In fact, to quote the words of an old sea song—

“Should foggy Opdam chance to know  
Our sad and dismal story,  
The Dutch would scorn so mean a foe.”

As it had been supposed that his right hon. Friend the Member for the City of London (Mr. Goschen), in the reply which he made, without preparation, to the speech of the First Lord of the Admiralty admitted the charge—if he might use that expression—made by the First Lord of the Admiralty, he wished to state most distinctly that his right hon. Friend the Member for the City of London does not admit the conclusions drawn by the First Lord of the Admiralty; nor, as he (Mr. Childers) understood it, was that the effect of his right hon. Friend's speech. His right hon. Friend had no opportunity of meeting the charge brought against him, because the names of the ships stated to be inefficient were not given, and it was not explained whether they were inefficient originally, or had become so by lapse of time. He had, therefore, no opportunity of criticizing the speech of the right hon. Gentleman (Mr. Hunt) as fully as he would have desired; but he neither admitted the facts stated by the right hon. Gentleman the First Lord in his speech, nor the conclusions he had drawn from them. What he did was to emphasize the difficulty which he had experienced as First Lord, and which he said every First Lord must experience in endeavouring to carry out his programme with reference to the Navy—which difficulties arose out of the changes which had taken place in naval construction. But if his right hon. Friend the Member for the City of London had been misunderstood, what was the case as to the First Lord of the Admiralty? Whether the First Lord of the Admiralty intended it or not, had he not been understood by the House and by the country as desiring to add a large sum of money to the expenditure for the Navy in the present year? Then three or four days after the Chancellor of the Exchequer said distinctly that that was not in-

tended. The Chancellor of the Exchequer said most distinctly that the First Lord of the Admiralty had no intention to "scare" the country. But was there any doubt that the country and the House were "scared" by the statements of the First Lord of the Admiralty? He was compelled to say that if the Chancellor of the Exchequer had correctly described the financial intentions of the Government, the First Lord of the Admiralty went beyond that which was his duty in bringing Estimates before the House, and, by his words or his manner, leading the House and the country to believe that he intended to bring in large Supplementary Estimates. You could not—no Minister could—talk of "a fleet on paper" or "a dummy Navy" without frightening the country; and he repeated that his right hon. Friend (Mr. Hunt) had been guilty of one of the greatest indiscretions ever known in Parliament. To this, however, he would have to revert. The right hon. Baronet the Member for Stamford (Sir John Hay) who spoke the other evening, and spoke with an authority that could not be disregarded, described the condition of the Navy as "deplorable," and he further ascribed that deplorable condition to the changes he (Mr. Childers) had made; but he gave his right hon. Friend who had succeeded him at the Admiralty (Mr. Goschen) the greatest credit for what he had done "with such an Administration as that to which he belonged, who were pledged to parsimony, and whose sole object seemed to be to discredit the Navy." The hon. Member for Pembroke (Mr. E. J. Reed), too, in a speech of the most temperate character, nevertheless maintained that we should have to spend a much larger sum of money on ships if we were to keep our force at 60,000 men, and the hon. Gentleman blamed, as he understood him, the attempt he (Mr. Childers) had made in 1870 to maintain an even charge over future years. On the same evening also a very strong attack was made by the hon. and gallant Admiral the Member for Chatham (Admiral Elliot) on the ship-building policy of the late Government. Personally, he desired to thank the hon. and gallant Gentleman for the courtesy of his remarks as to himself—but the charge he brought against the late Government

was that they had been utterly wrong in the Dockyard policy they had pursued, and the hon. and gallant Gentleman referred to the course pursued in 1869 and 1870 as the greatest blot upon our naval policy. [Admiral ELLIOT said, he had no recollection of using such words.] What the hon. and gallant Gentleman said was—"The dockyard policy which I condemn is the dockyard policy of 1869-70." [Admiral ELLIOT: Hear, hear!] But he gave credit to his right hon. Friend (Mr. Goschen) for what he had done during the last four years, and said that if he had not done more it was because he was fettered by the policy of his predecessor. Now, all the questions referred to by those hon. and right hon. Gentlemen he (Mr. Childers) was prepared to discuss, though only a portion of the charges could be said primarily to concern him. What did primarily concern him were the charges relating to 1869-70. And here he might, perhaps, say he did not believe his right hon. Friend beside him (Mr. Goschen) was prepared to accept the left-handed compliment which had been paid him of having, during his three years of office, done everything remarkably well, any shortcomings on his part being due solely to the course pursued by the Minister who preceded him. He thought both the acts and language of his right hon. Friend in that House showed pretty conclusively that any such compliments must be singularly distasteful to him; but he (Mr. Childers) had no objection to accept battle on the ground chosen by the other side—

"Adsum qui feci; in me convertite ferrum;"

and he was quite prepared to take the responsibility of defending on this occasion not only those acts which were specially his, but also those which were said to be the consequence of the policy he had pursued; excepting, of course, such details within the last two years of which none but those within the walls of the Admiralty could have cognizance. But he must, he feared, ask the indulgence of the House to a larger extent than was usual in such matters. It was now that very day four years that he was disabled by a severe illness from carrying out, with full activity, the great enterprise he had undertaken eighteen months before; and, in little more than six months after, he

was compelled to abstain from work altogether, and his right hon. Friend (Mr. Goschen) was appointed his successor under circumstances equally unfavourable to both of them. The Committee could easily understand the pain which a man must feel who, having set his hand to the plough and undertaken a great and most difficult task, found himself compelled, within little more than a third of the time he had allotted to the work, to retire and to hand over the work to another—one who had no previous experience of the Department, and who was unable to consult his predecessor as to details, but was obliged to proceed with such information as he could find in his office. There was another ground on which he asked the indulgence of the House. Until now he had never had an opportunity of meeting the attacks which every great reform must be expected to provoke. It was only within a very few days of his being totally incapacitated from work that, in spite of the strongest requests on the part of those who were acquainted with his state of health, a most premature inquiry was instituted by the House of Lords with regard to a portion merely of the work he had undertaken. He was unable to attend any of the sittings, and that the inquiry was premature was shown by the fact that to that very day no Report had been made; and to this day his answer to the Duke of Somerset's allegations had never been heard. During the same year, too, a series of attacks were made upon him in that House; and when he had sufficiently recovered to be able to defend himself, those attacks were never renewed. He did not blame those who made those charges, for current public affairs must be dealt with at the time; but he felt that they gave him some claim to the indulgence of the House, because they were made in his absence, and no fitting opportunity had presented itself until the present time of answering them. Daily and weekly attacks, too, had been made upon him by the Press, which, as a Member of Parliament, it was utterly impossible for him to deal with. There were, indeed, under this head, two matters to which he must specially allude. The first was the charges brought against him with regard to the *Megara*. In the case of that vessel, charges were brought

against him, although he had nothing whatever to do with sending the vessel to sea. A Commission was appointed to examine into the matter, and—without taking upon himself to say whether he thought the conclusions of that Commission entirely supported by the evidence or not—the Commission completely exonerated him from all the charges that had been made against him. On the very day the Report of the Commission was laid upon the Table a noble Lord, a Member of the Opposition (Lord Henry Lennox), gave Notice that he would in a few days call attention to that Report—and, indeed, it was understood that that was a necessary consequence. Well, a Motion hostile to himself had been placed on the Paper early in the Session, but week after week it was postponed, and it stood on the books till the month of July, when it was handed over to another Member of the House. These postponements went on to the end of the Session, and from that day to this the word *Megara* had never been mentioned in Parliament. He would now take the case of the *Devastation*. Questions about that vessel, which went to the very roots of his policy and acts, were very prominently brought before the public in the latter part of 1872, and very strong animadversions on the policy of the Board of Admiralty were made in the course of that year. These animadversions were continued till early in 1873, and no one rejoiced more than he—and his right hon. Friend the late First Lord fully participated in his feelings—when they were satisfied that there would be a debate on the whole history of the *Devastation*. They were prepared to have gone fully into the subject—but when the debate should have come on, although that very day at the Society of Naval Architects, the charge had been renewed with great vigour, not a single word was said in that House on the subject of the construction of the *Devastation*, or her alleged defects. The debate ended in a mathematical and scientific disquisition, much was said about some mechanical problem, the use of canvas, and so forth:—but to this day he had never had an opportunity of meeting what he had always regarded as one of the most important questions that could be laid before the House. Then, as to the charges at the Admiralty, which it was now stated had been the cause of continued embarrassment

to his successors—it was not until he came back, after having been First Lord of the Admiralty, that a debate was raised, in 1872, by the late Mr. Corry on the constitution of the Board of Admiralty; but hardly anyone supported the right hon. Gentleman's Motion, the charges which he had made, with one exception, appearing to receive general approval. He repeated that if, as had been alleged, all that had gone wrong during the last four years was due to him, it was somewhat hard that he and his Colleagues were not called upon to defend their policy until the subjects on which they were attacked had become stale. Let him now come to some points of this attack. The right hon. Gentleman opposite (Mr. Hunt) had spoken of their policy in 1869 and 1870 as having, in respect to economy, been guided by political considerations, and not upon what was necessary for the maintenance of the efficiency of the Navy, and he implied his belief that theirs were political Estimates. He wished at once to meet that charge, and he emphatically asserted that the Estimates of 1869-70 were not political Estimates—he denied distinctly and emphatically that any other consideration than the efficiency of the Navy had actuated him in framing the Estimates for those years. When his right hon. Friend wound up this debate perhaps he would answer the following question. The Navy Estimates of 1868 were prepared by the late Mr. Corry, and were laid upon the Table at the usual time in compliance with the Standing Orders. They were presented and ordered to be printed on the 17th of February—and the House, as the Committee well knew, was very strict in its Rules as to the time within which it was the duty of the Admiralty to present these Estimates, and it was the universal rule to circulate the Estimates within two or three days after they had been laid on the Table. Now, the question he wished to ask his right hon. Friend was this—How was it that on that occasion the Estimates, instead of being circulated, were kept back 21 days, and were then presented to Parliament greatly reduced from their original amount? He wanted to know whether that was done from a political or a naval consideration? The observations ought to have been addressed to right hon. Gentlemen on the bench oppo-

site, and not to him (Mr. Childers) or to his right hon. Friend (Mr. Goschen). He would now pass to the larger figures of the right hon. Gentleman, who had stated in the House that the economy of which he spoke in such disparaging terms amounted to certain sums, which he gave in detail, and he explained why the late Government were not even entitled to credit for that economy. As the right hon. Gentleman went on he found he was quoting from the Estimates and not from the results. Since then, however, he (Mr. Childers) had taken the trouble carefully to go through the actual naval expenditure, gross and net, of each year to which the right hon. Gentleman had alluded. In 1867-68 and in 1868-69 the naval expenditure was £11,342,000 and £11,061,000 respectively, and after deducting the extra receipts the expenditure was £10,968,000 and £10,834,000, giving an average of £10,901,000. He had applied the same rule to each of the subsequent four years for which we had full accounts, and he found that the average was £9,392,000. The average of the Estimates of last year and this year was £9,885,000. If any hon. Member would take the trouble to calculate a sum in arithmetic, he would find that, assuming in the present two years the expenditure at the full amount of the Estimates, the saving in six years, as compared with the average of the two years in which the previous Government was in office, would come to no less than £8,069,000. That was the real measure of the economy of the late Government in respect of Naval Expenditure. But the right hon. Gentleman made a very remarkable qualification before he compared the two expenditures, for he said that the late Mr. Corry had, at the end of 1868, some intention with respect to the expenditure of the following year, and that if those intentions had been taken into account he (Mr. Childers) and his Colleagues would not have been able to show so large a reduction as they did. It was, doubtless, true that Mr. Corry did, before he left office, sketch out some savings in the Wages Vote, and those Estimates, being only rough sketches, were considerably modified by the new Administration. But he was not disposed to admit that those rough sketches formed a sufficient basis for the argument of his right hon. Friend. The former Government having resigned on the 2nd of



December, on the 7th, or thereabouts, the Controller of the Navy prepared a rough sketch of the possible reductions, and on the 9th of December the Estimates were approved by the then Board of Admiralty. He did not think it fair to attach so much weight as the right hon. Gentleman had done to Estimates prepared after the Government had virtually ceased to hold office, and nearly two months before the ordinary time for preparing the Estimates. There was, however, a more important point than this. The First Lord laid peculiar stress in his speech on the virtues of the previous Board of Admiralty, because they laid down in each year a large number of ships. The right hon. Gentleman said, in general terms, that one of the things for which the late Mr. Corry ought to have great credit was that he had laid down in 1867 and 1868 so many ships. But what was the fact with respect to those sketch Estimates? Why it was proposed to lay down no new ship whatever, whether armoured or unarmoured. That being the case, it was perfectly idle to refer to the sketch Estimates so constructed as an actual basis of comparison between the Estimates of the present Government and those of the late Government. Therefore, it must be taken as an established fact that the policy of the late Administration had saved the country in the naval expenditure alone a sum of £8,000,000:—and if it were taken into account that prices had very much risen—a point as to which he should have something more to say—he might safely affirm that the measure of economy of the late Government in the naval expenditure alone was at least £9,000,000. Well, the right hon. Gentleman opposite, basing his argument on those sketch Estimates, said that the Estimates of this year, which he inherited from the right hon. Gentleman the Member for the City of London, had reverted to the expenditure of the previous Government, under the Administration of Mr. Corry. But that was not the case. The Estimates of this year, allowing for the difference of price of iron and coal, and for the rise of wages, were almost exactly the Estimates of the first and second years of the late Government. He now proposed to state what had really been done at the Admiralty during his own Administration. He would first state what he did during his first two

years of office, and what he had intended to do when it was put out of his power to carry on the administration—intentions which his right hon. Friend (Mr. Goschen) had loyally fulfilled. He hoped the Committee would forgive him if he spoke so much of past events, for he was forced to do so by the references of the right hon. Gentleman opposite. What, then, did he find when he went to the Admiralty in 1868, and what were the heads of this policy which was now so boldly impugned? He succeeded to the office of First Lord of the Admiralty at a somewhat critical moment in the history of Admiralty affairs. His penultimate predecessor was the Duke of Somerset, who occupied the post of First Lord for a period of seven years, and to whom he had always given great credit for improvements he had effected in the Navy; but, at the same time, he was bound to say that the Duke of Somerset left to those who came after him a heavy legacy of work. In 1860, it had been recommended by a Commission on the Navy, and practically assented to, that very large reforms should be made in the Admiralty; but up to the time the Duke of Somerset left office a very small proportion of those reforms had been effected. On one most important question—the absolute necessity of reducing the number of naval officers—the Board, from 1859 to 1866, showed an extraordinary want of foresight, the efficiency of the service having been almost destroyed some years ago, owing to the extraordinary redundancy of officers compared with the work. The Duke of Somerset was followed by Mr. Corry, and for two years and a half the Admiralty was administered by hon. and right hon. Gentlemen on the other side. He had always given to that Administration credit for excellent intentions; and, indeed, in 1857, on hearing their policy, he said he should consider himself their general supporter. In 1868, on the Motion for appointing a Select Committee, when their policy was challenged by his hon. Friend the Member for Lincoln (Mr. Seely), he did his utmost to assist the Government by a Report drawn up by himself, and adopted by the official Members; and, in July of the same year, when in Committee of Supply, it was proposed distinctly to censure the Admiralty—when what was equivalent to a Vote of Want of Confidence in

the Government was moved—he did his best to support the Administration, some Gentlemen on his side who thought him right voted with him, and the Motion was defeated by a majority of 10. Therefore, it could not be said that he had offered any factious opposition to the Admiralty of 1868. But though that Admiralty did one thing which ought to atone for many faults, namely, sanctioned the construction of ships of the *Audacious* class—notwithstanding the amount of good work they really did—they left a huge arrear of work to be done by their successors. It was under such circumstances that he came into office in the end of 1868. The cry at that time for Admiralty reform was universal—there was no part of the service, the country, or the Press which was not urging the absolute necessity for such reform. He went to the Admiralty determined to do his utmost in making the reforms which had been recommended, or which he found to be needed. He found that he had undertaken even a heavier task than he had conceived possible. It would have been difficult, under any circumstances, to grapple with the very large questions they were expected to settle—and these difficulties were greatly aggravated by the grievous want of harmony within the Admiralty walls. The matter was too notorious that he need refrain from mentioning it. Two of the most eminent members of the Admiralty felt, and resented the treatment they had recently received from the Government. Nevertheless, he (Mr. Childers) did his utmost to deal with the important reforms to which public opinion had expressed its adherence. The first thing he did was to consolidate the Admiralty Departments with the view of enforcing that principle of responsibility which had been resisted so long, and he carried out as far as possible the recommendations of the Commission of 1860. He succeeded in all the first steps which he took; and as it had been insinuated that some of his reforms had not been carried out by his successor, he would say that with one exception—having reference to whether the Controller should be a member of the Board—all the changes recommended by the Commission of 1860 had been substantially and thoroughly carried out. The next thing he undertook was the improvement of the administration of the Dockyards; and

though in that he might not have the sympathy of the hon. and gallant Officer opposite (Admiral Elliot) he followed the proposals of the Commission of 1860, which had been more than once enforced in the House. The next thing was the closing of Woolwich Dockyard—an operation attended not only with economy, but with very great efficiency in Dockyard administration. It had been decided by the Committee of 1864 that it should be closed, but the matter stood over from that time until 1870, when it was done. The whole system of purchase and store arrangements—which had received a great shock by the evidence taken before the Committee of 1860—was also reformed, the details being carried out by his right hon. Friend the Member for Montrose (Mr. Baxter.) One branch of that reform was what the First Lord of the Admiralty had called the “clearing out of the lumber room.” He (Mr. Childers) thought that if the right hon. Gentleman would go round the Dockyards now, he would find them in a very different condition, as to obsolete ships, boats, and stores of all kinds, from what he found when he went round with Mr. Corry. He could not help, in passing, referring to an entire misapprehension which seemed to exist—namely, that the arrangements with respect to the sale of ships which prevailed many years ago were in force now. One of the first things that was done in 1869 was to bring in a Bill under which those arrangements were entirely abolished; and all the ships sold since that time were sold, not under the Naval Stores Act, but out and out, and the prices received whilst he was First Lord were satisfactory. Then they effected a great reduction in the salaried officers of the Admiralty. He never was one of those who looked for economy through the reduction of salaries; on the contrary, he looked for economy, not to the reduction of the salaries, which were by no means excessive, but to the reduction of redundant numbers, especially in salaried officers. There was always in public offices a tendency to increase the number of salaried officers; and pleasant as it might be at the moment, it was distressing in its effects, because it must be followed by strong and sweeping measures of reduction. They found when they took office that there were 1,055 salaried officers,

of whom 32 were receiving £1,000 a-year and more; now there were 755, of whom only 27 were receiving £1,000 a-year and more. They effected a reduction of 300 in the permanent salaried staff of the departments of the Admiralty. The financial results, allowing for the full amount of commutations and pensions, were as follow:—the expenditure for salaries was, in 1868, £455,000; in 1873, £417,000, showing a reduction of £38,000. What was important was that this reduction was not accompanied by any reduction, but by a considerable increase in the rate of individual salaries. The average rate before the change was £315 a-year, and last year it was £350—an increase of more than 10 per cent. But they effected still more valuable reforms afloat. In the first place, they settled the strength of the foreign squadrons—an operation which the debate of 1867 had shown to be essential; and this was coupled with a vast increase in the exercise of the officers and men at sea, which was called for by every officer consulted. Two additional squadrons were established—the flying squadron—which he hoped no consideration would induce this or any future Admiralty to abandon—and the first Reserve Squadron, to which half of the Coastguardmen annually went, and to which in that year were added, in order to prove to the country their efficiency, a large number of Naval Reserve men. They also cleared out from the Navy and Coastguard a large number of inefficient men and idlers; and the result was that although the numbers of the men on the lists of the Navy and Coastguard was somewhat smaller than heretofore, their increased efficiency more than compensated the slight numerical reduction. Lastly, they reversed the policy of stopping short for a time in improving the type of ships, and they decided—defeating his lamented Friend (Mr. Corry), on that point in the House—to commence the building of unmasted turret-ships, of the *Devastation* class, for which the hon. Member for Pembroke (Mr. Reed) deserved the greatest credit. Those were the results of their first year of office. In the second year they took up larger and still more important reforms. In the first place they appointed a Committee to deal with the question of the higher education of naval officers, specially with a view to the establish-

ment of the College at Greenwich, where his right hon. Friend (Mr. Goschen) had introduced an admirable plan. They appointed a Committee to deal with the question of strengthening the Reserve—a question which to this day had not been completely solved; and their inquiries would afford great assistance to those who desired to carry the question further in future years. They carried out the plan for promoting the retirement of officers of the Navy, specially with regard to their enormous redundancy—a measure which had already borne good fruit. He was careful not to frighten Parliament by the large figures which were involved, and justified the measure itself only in detail, trusting that results would vindicate it. Let him now, however, tell the Committee what they did. When they took office the number of officers of all ranks was a little under 8,000. They arrived at the conclusion that the number of officers required for the service was only 5,500—a number which might be still further reduced some day. They found in the superior ranks very nearly 800 officers, and they were satisfied that the number required was only 400; and they had to effect a reduction equivalent to reducing by one-half the number of Generals and Colonels in the Army. Nor was this the case in the upper ranks alone. During the 10 previous years there had been entered 1,700 cadets, when 1,000 would have met the wants of the service. In the inferior ranks, from lieutenant downwards, they found 2,000 officers when 1,300 only were required. The reform was one of the most difficult that could have been taken in hand, but it had been carried out successfully, and with satisfactory results both in the interest of economy and in the interest of the Service. When he told the House, and especially the distinguished Admirals present, that had it not been for the Retirement Order of 1870, the present Controller of the Navy would have been the junior flag officer, they would have some idea of what had been effected. In fact, at that moment the reduction they had contemplated had been reached to within some 200 of the total of 2,500. But the great reform of the year was the introduction of a uniform plan for the building of the Navy. For many years they had been lamentably deficient in regard to anything like a foreseeing policy as to the building of their ships. Each Board



of Admiralty seemed to have framed in each year a new scheme, sometimes greatly increasing and sometimes greatly decreasing the amount of work proposed to be done; and the results were sudden expansions and sudden reductions. He did not wish to charge this or that Lord of the Admiralty; he merely wished to deal with the general question. Nothing was more conducive to the want of economy and efficiency than the absence for a long series of years of anything like a uniform policy in our shipbuilding and repairing. In a business point of view what could be worse than the following figures? In the five years before the late Government dealt with this question they built 18,952 tons, 12,497 tons, 14,142 tons, 24,177 tons, and 14,066 tons. No man of business would be content with such unsatisfactory variations. They considered what were their annual requirements, what their constant staff, what they ought to do by contract, and what was necessary for current repairs, and they considered the question of what tonnage per annum required to be built to keep the Navy in efficient strength. They concluded that the amount of tonnage built should be 19,500 tons annually. The hon. Member for the Tower Hamlets (Mr. Samuda), whose figures were different, had perhaps not made sufficient allowance for the waste of iron-clads. They acted on their conclusion, and in the five following years the variations, which before had been 10,000 tons, did not exceed 1,500 tons a-year. The amounts for the five years during which they were in office were 13,271 tons, 13,414 tons, 14,448 tons, 13,609 tons, and 12,904 tons. These figures showed that they had attained one object—annual uniformity of building-tonnage in the Dockyards. The aggregate tonnage proposed for these five years was 97,000 tons, while the actual tonnage was 99,000—about 2,000 more than was anticipated. So far, therefore, as the construction of a uniform average amount of tonnage was concerned, their reform of the Dockyard system had been perfectly successful. Now, as to the men provided for this work. That was a question of considerable difficulty. It was on the 9th or 10th of December, 1869, that the Controller of the Navy brought to him the result of the inquiries he had made—which was, that to lay out efficiently the

amount of shipbuilding proposed, and also the repairs necessary for the fleet, they should employ in the Dockyards at home a total number of 11,271 men, at wages somewhat under £650,000. That recommendation at first startled him. Knowing the number of men who had been employed in former years, he was at first doubtful whether 11,271 men would be adequate; and he asked the Controller of the Navy and his right hon. Friend the Member for Montrose (Mr. Baxter) to go very carefully into the question and satisfy themselves that their calculations were correct. They did so, and their answer was that the detailed inquiry was thoroughly satisfactory, and that that number of men would be amply sufficient to carry out the programme he intended; and they further reported their opinion that the estimated amount of tonnage steadily and yearly added to the Navy would keep us in a state of ample security as well as ability to perform any work that might be expected from a first-class maritime Power, and insure the maintenance of our national position as the first maritime Power in the world. He approved that recommendation—and he wished most distinctly and emphatically to say that he and he, alone, was responsible for that decision. If that decision was wrong he only was responsible for it; and if right he and those whom he consulted were entitled to the credit of having arrived at that conclusion. With regard to the reduction of the men in the Dockyards to 11,270 there was no difference of opinion at the Admiralty that it could be effected. But towards the middle of the year, at the time when the Franco-German war broke out, the Government had to take into consideration what it might be necessary to do with reference to the Navy in order to secure our neutrality in the then disturbed state of Europe. The question of increased expenditure on our ships, in view of the war in Europe, received the most anxious consideration of the Government; and it became his duty to consult those associated with him at the Admiralty as to the details of the expenditure which would be necessary. A larger expenditure was at first pressed upon him by the Controller of the Navy than was finally adopted—he had not the exact figures, but, speaking generally, the Cabinet decided that the expenditure of £500,000 during the re-



mainder of the year would be sufficient. It was undoubtedly true that so far as they were concerned at the Admiralty, there were very great and serious discussions; but they arrived at that conclusion. The Minute approving the additional expenditure was dated the 6th or the 8th of August, and he presumed would be laid upon the Table with the Papers moved for by the hon and gallant Member for Stamford. Well, what happened? Almost on that very day the first battles unfavourable to France were fought. These were followed by the battles of Woerth and Forbach, Mars-la-Tour and St. Privat, the surrender of Sedan, of Metz, of Strasburg, the investment of Paris, succeeded by the Peace of 1871. There could be no question, then, that in the decision they came to as to the expenditure necessary to place our fleet in a proper state, they had arrived at a wise and sound conclusion. He thought that in the steps they took both during the time of profound peace in February, 1870, and when peace was broken in July and August, 1870, the Government had arrived at sound conclusions. But after the results of the war had entirely altered the position of France and the balance of power in Europe, it appeared unnecessary to increase our normal expenditure. It was true that when the war broke out, France had intended to spend 40,000,000 francs in naval preparations; but, as a matter of fact, no part of this vote was expended; and, in fact, both during and since the war, the French naval charges greatly fell off; so that whatever was thought necessary for the maintenance of our position in the eyes of Europe, and—to use Sir Spencer Robinson's expression—to keep us in a state of ample security as a first-class maritime Power, would be more than sufficient after the spring of 1871. On this question the Controller of the Navy did not hold the same view as he (Mr. Childers) held in August, 1870; and it was equally true that since that time Sir Spencer Robinson did not adhere fully to the views he formerly expressed; but he (Mr. Childers) was dealing with plain facts for the consideration of Parliament and of Government, and he said, without hesitation, that if the establishment of our normal rule of naval expenditure kept Eng-

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land in a state of ample security before the war, she was much more secure now. But he (Mr. Childers) might be asked, did he think the calculations made, of 11,271 men and £650,000 for dockyard expenditure, still held good after what they had seen? He was bound in candour to say they did slightly under-estimate the number of men required; but the numbers were increased and maintained at a slightly increased rate, which was thoroughly adequate to the occasion, and he believed that no further increase was necessary. He might be asked, what was the Navy fit for which they had so provided? The right hon. Gentleman the First Lord of the Admiralty had alarmed them with his view of the state of the Navy. He spoke of 14 or 15 efficient iron-clads—he told them that our fleet was, in fact, “a paper fleet.” Now, the right hon. Gentleman would not give the figures or names, and without that information it was impossible to analyze his statement; but, after having gone carefully through the *Navy List*, and with all the information he could collect, he must say he took a very much less desponding view of its condition. The right hon. Gentleman had given them a very valuable Return about the state of boilers in the Navy, and when he analyzed that Return he saw no room for the desponding views of his right hon. Friend. One word first, as to the purposes of the *Devastation*. She was never intended to be a cruising ship of the *Audacious* type—she was intended to go to the Mediterranean and elsewhere, but being mastless, and depending solely on coal, she could never be attached to any cruising squadron. The only qualification to her sea-going powers was that she was never meant to go head to wind at full speed in a strong wind and a high sea; but she was expressly intended to be a sea-going ship. He had had the pleasure of seeing and communicating with the officers who had cruised in her, and with scientific persons, and he could state that no one would be more surprised than her officers to be told that the *Devastation* was not a sea-going ship. He believed that the account which he had now given of her qualifications was exactly what he had stated in 1869, and he should decline to exclude her, or ships of similar construction, from our list of efficient

sea-going iron-clads. He would now show the state of the fleet from the Returns of boilers of the iron-clad fleet. The total number of iron-clads built or building was 55. He would omit from consideration the five ships now building, and five other ships—namely, the *Viper*, *Vixen*, *Waterwitch*, *Scorpion*, and *Wivern*—because, although the two last named were fit to go to sea, they were a small class of vessels. Out of the 45 remaining ships, 16 were completed for sea less than four years ago; seven were completed upwards of five years ago and less than six years ago; and 22 were completed more than six years ago. All those completed for sea less than four years ago were efficient sea-going ships, except the *Glatton*. Of the seven ships completed between four and six years ago, three had new boilers making, one had a new boiler being put in, two had efficient boilers, and one would soon require new boilers. Of the 22 ships completed more than six years ago, six had new boilers in, four were having them put in, two were only harbour ships for which one set was in store, and 10 were wooden ships ordered to be built in 1861, 1862, and 1863, for which seven sets of boilers were in store. The total number of sea-going ships with efficient or new boilers, or having new boilers put in or making, was 31. Add the *Glatton*, *Prince Albert*, and *Royal Sovereign*, three, not sea-going ships; the *Hercules*, one; the old wooden armoured ships, 10; or, in all, 45. He confidently asserted that this was not an unsatisfactory state of things. With regard to the 10 wooden ships, any First Lord would have been most unwise who rashly decided what was to be done with several of them. They used to be called the “makeshifts of the Navy,” because they were built in great haste in consequence of 10 similar ships being built on the other side of the water. They were wooden armoured ships, as distinguished from iron armoured ships, and avowedly their life was not intended to be so long as the latter. Two or three were undoubtedly not worth refitting; others would last some time with a moderate outlay, and two or three might be worth thorough refit and form an efficient second line of defence in war; but this was doubtful. What, then, did

all this come to? There might be one iron and two old wooden ships somewhat in arrear with their boilers, out of the whole amount of the Navy, and the question at the outside was whether we should take in hand some two more ships this year instead of next. And that was the whole amount of the “scare” of which so much had been said. The right hon. Gentleman said that we should be in arrear of reliefs of unarmoured ships in 1875-6; but he (Mr. Childers) had so often heard similar alarms that he had ceased to be frightened. He had already quoted the much more terrifying language used by Lord Hampton in 1866; and he had so often heard of similar alarms, both in and out of that House, that he was not disposed to think that the Admiralty would find any great difficulty in dissipating their own “scare.” But there was a question connected with the relief of unarmoured ships to which he wanted to invite the attention of his right hon. Friend, and that was, whether our squadrons on foreign stations were not susceptible, even now, of some numerical reduction. He did not speak of reduction in point of force, but of reduction in point of numbers of small ships. The sloops and gun vessels on distant stations wore out quickest, and were the most troublesome to relieve, and he could not but think they might be replaced by larger and fewer ships.

But he now came to the real question. The real question was, what was our Navy, and what was required to make it efficient? When we talk of the relative strength of our Navy we mean its relative strength as compared with that of foreign countries. Old officers were in the habit of saying—“We had 20 pennants flying in such a year on such a station, and why should there not be the same number now?” But it was not the number of vessels we had upon any particular station, or indeed any given total number that constituted relative strength—it was the strength that was necessary to keep us at least on an equality with other Powers. It was not the duty of the Admiralty to send 20 or 30 ships to the West India station, for example, because we used to send that number. It was impossible to lay down any fixed law as to the number of our ships—the Government must look from time to time to the fleets kept up

by other nations. The question was almost wholly a relative one. What we had to decide was not a very abstruse problem. Considering the fleets that were kept up by other nations, including ships in the course of construction, or likely to be constructed, what was the duty of this country, whose maritime pre-eminence he hoped they were all determined to place beyond doubt? He was aware that this was a delicate question, and he wished to approach it in a proper spirit—since, however, he had been connected with the Admiralty he had seen and heard a good deal about the Navies of other Powers; he had taken every opportunity of visiting the Naval establishments of other countries; he had perused the published documents and budgets of other countries, and had read the debates in the Parliaments of those countries on their Navies—he had taken every opportunity of making himself acquainted with what had been done and was doing on the Continent. That being so, he would now state what he conceived to be our relative strength at sea. He would begin by stating what he believed to be the official strength of the French Navy. The French Budget gave the following particulars as to iron-clads in the French Navy:—There were 24 iron-clads, of which 8 were in commission, and 16 could be put in commission if necessary; there were 8 or 9 iron-clads in course of building, 4 special iron-clads finished, and 4 not finished;—making altogether 41 iron-clads, besides 7 floating batteries. Their present effective strength therefore amounted to 28 sea-going vessels. But when he looked into the details of these ships he found that there were only eight ships of the French Navy building and built which could be compared with what we called our first-class ships, and of that class we had 11 built and 4 building. Therefore, our strength in first-class ships was as nearly as possible double that of the French. Of the remaining classes we had 25 built and 1 building, as compared with 21 French built and 4 or 5 building. We had afloat 45 ships, not including batteries, and the French had 28, not including batteries. The French had afloat 35, including batteries, and we had 50, including our small ships. But all our ships except 12 or 13 were iron; whereas all their ships but 9 were wooden, and of those 9, 4 were

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iron and 5 were partly wooden and partly iron. Then as to the Estimates. The French Estimates for the current year, including the charge on the *compte de liquidation*, and the *Invalides* vote, and strictly comparing like with like, amounted to just £5,120,000, whereas ours, including the Greenwich vote, amounted to £10,320,000. He might be told that some things were cheaper in France than in England, but coal and iron were undoubtedly dearer. So that the amount of the work which we were doing must be vastly greater than that of our neighbours. He could not find any statement in print of the exact tonnage to be built in France, but it could not exceed half ours. He would not weary the House with many extracts from the debates on the French Budget, but some parts of them were so very instructive, that perhaps he might be allowed to read a few sentences. There had been two great debates lately in the French Assembly, one on the 12th of December on the original Budget, the other on the 20th and 21st of March, on a proposal to add 10,000,000f. to the expenditure charged on the *compte de liquidation*. Now, in the former he found that, after M. Vaudier had said that they were doing little more than Russia or Germany, and that they ought to add at least 10,000,000f. to their expenditure, and after the reporter of the Commission had explained why this was impossible, for everything was in a state of transition, and they had not even settled the type of ships. The Minister of Marine used these remarkable words—“Unless you are prepared to go beyond the present votes, your material and the fleet *iront sans cesse en déperissant*. It is true that what you have got is enough for coast defence. In this I do not fail to recognize the superiority of the English Navy. But our material will perish from year to year; and, if you do not take strong measures, our naval force will have rapidly lost its value. It is, therefore, indispensably necessary to reconstruct the fleet. But for the moment we have not the means. When we have them we must spend more for our security. If this year I do not get the 10,000,000f. from the *compte de liquidation* I shall resign.” But in the second debate the language used was even stronger. M. Delpit proposed an addition of 10,000,000f. to the Naval Esti-

mates. He said that, "under the Empire, the votes for the Navy and the Colonies averaged 216,000,000f., nearly nine millions sterling, whereas now only 153,000,000f., or six millions sterling, were proposed, in spite of the great rise in wages, iron, and coal. Of this six millions, the Colonies, including transportation, have one-fourth, and there remain only four and a half millions sterling for the Navy. The fleet '*s'anéantit chaque jour graduellement*.'" Even with the 10,000,000f., he said, "we shall fall far short of the restricted plan of 1872. We have only 92 ships, and an effective of 19,283 men. At least 120,000,000f. have been spent less than the votes in the last three years. Enormous sacrifices of guns and material made in the war have not been replaced. Our sailors get no practice, and our ships have not been able to go to sea." M. Vaudier said that the unexpended credits and other losses were not 120,000,000f., but 176,000,000f., just over seven millions sterling. He agreed with the Minister that "the fleet, without additional votes, *ira sans cesse en déperissant*. We were told that we ought to have 20 ships for home defence, but we have only four. As to guns, England is steadily building. We are greatly in arrear. Our storehouses are empty, both as to munitions and other supplies. We are short of shell and shot, and to replace our guns alone, 25,000,000f. are wanting, for during the war we did not build a ship or a gun." M. Farcy said—"Our ships are all out of date, and the Estimates are far below the real cost. You have 10,000 workmen in the dockyards below the number in 1871, and they cost more than the former establishment. England is studying and carrying out improved models." Admiral Jaurès said, "Ask any officer, and he will tell you of the '*malaise général*,' which results from the state of the material, from the want of training, and from the reduction in ships. At least 120,000,000f., which, according to the reduced estimates, should have been spent since 1870, are lost." Admiral de la Roncière le Noury said—"Look at the list of unemployed officers who are seeing their ships perishing in the dockyards; the candidates for the Naval School are falling off; the students of the Polytechnic School no longer apply to come into the Navy.

Prestige is leaving the Navy. You are spending 30,000,000f. less than before 1871, and this is having permanent and fatal consequences." Admiral Fourichon said—"The 10,000,000f. that we ask for will only give the administration '*la faculté de ralentir le déperissement de la flotte*,' to fit out a few ships and establish a squadron of exercise." Admiral Pothuau, the ex-Marine Minister, said—"To reconstruct the Navy you must spread over a series of years 70,000,000f. We are short of this by 22,000,000f. Prices have risen 30 per cent. Guns have to be built, and much more ought to go to torpedoes. We want a far greater force of sea-going ships." And now followed a remarkable conversation which he thought his right hon. Friends opposite must have rehearsed before they gave to the House their recent conflicting views as to the "scare," and the need of additional estimates. M. Lefébure, the Under Secretary of Finance, in the absence of the Minister, said—"We have not got the money in the Budget, and what is more, this would involve additions in future years." Upon which the Minister of Marine, Admiral de Dompierre d'Hornoy said—"The Assembly has to decide what it can give, but my duty as a Minister is to say that, if it will consent to make sacrifices for the Navy, it would be wise to vote for M. Vaudier's Amendment. Its object is to develop our Naval material, and it is to this end we should aim." There appeared to have been in the French Assembly an ex-Minister who took almost the same line as his right hon. Friend the Member for the City. Said M. Picard—"But the Minister of Finance does not agree with the Minister of Marine." To which Admiral Dompierre replied—"Oh no; we don't differ. It is my duty as Minister to say to the Assembly, '*Donnez nous le plus possible*.' It is his duty to examine what he can dispose of." Upon this another Minister intervened—M. Deseilligny, the Minister of Commerce—who said—"All that the Minister of Marine can do is to say what he wants, not to touch the financial question. I was nearly yielding to an '*entraînement patriotique*,' until I remembered that we have no resources." Some discussion then took place as to the form of the Amendment, but in the end it was negatived by 428 to 184. He found that



while all the Admirals on the independent benches voted for the Amendment, all the Government voted against it, except only the Minister of Marine, who walked out of the House. Well, this showed pretty well what was the state of opinion in France with respect to the Navy. He only hoped that the First Lord of the Admiralty would not find it necessary to follow to the end the example of his French Colleague. Turning then to the United States—the American Navy had no iron-clad broadside ships. It consisted altogether of monitors, of which there were nominally 46 in existence, ranked in nine classes; but of this number the greater part were failures, and not above four of them were seagoing ships. He would, with the permission of the House, read the following extract from the Report of the Secretary of the United States Navy for 1871, presented with the Estimates for 1873:—

“Unless something is done to supply the deficiency of ships, our cruising Navy, scarcely respectable for a nation of our rank and responsibilities, will soon almost wholly pass out of existence. I hope that efficient measures will be taken to check the decline of our naval power. The commercial nations of Europe are able to strike our shores sharply and suddenly. Our own yards, small in area, very deficient in water front, developed on no well-considered plan, are imperfectly adapted to the changed condition of construction and equipment. The whole number of our officers, including lieutenants and those above them, is 488.”

That was the Report of the Secretary for the American Navy. But the following enclosures were still more precise. Mr. Case in his Report said that the present condition of the American Navy was really an abandonment of all effort to solve the ordnance question of the day—they were standing absolutely still, while every nation in Europe was steadily improving. Commodore Rogers reported that the American Navy-yards were totally inefficient to furnish them with the means of contending with a foreign maritime nation. Mr. Hanscome reported that very little could be said in favour of the American iron-clads, only 11 of which had 500 tons measurement, had little speed, and had been built in violation of all established principles of naval architecture. Commodore Parkes reported that the evolutions of the fleet certainly demonstrated the lamentable condition of the American Navy; and he asked what would be the

effect in an engagement of a fleet only going four knots an hour?—and this while England was making every improvement possible in naval architecture and the appliances for warfare. The officers of the American fleet denounced the vessels that composed it, speaking of them, as a whole, as “a lot of old tubs.” Admiral Porter reported the condition and the *personnel* of the American Navy as being very bad, while the average speed of the ships was only eight knots an hour, against the 14 or 15 knots of the British Navy. That gallant officer further stated that the fleet of Great Britain was most formidable in iron-clads, that never in the history of England was she better prepared for war in ships, material, men, and officers, and that the British fleet now boasted the finest equipped iron ships in existence, capable of contending with the combined Navies of Europe, and went on to say that the errors of the Board of Admiralty, so unjustly criticized, were comparatively few, and had in most instances been rectified. Turning to the condition of the Russian Navy, he (Mr. Childers) was able to state that it consisted of 17 vessels—namely, of seagoing broadside vessels, two of the *Sevastopol* class, inferior to the *Warrior*; two of the *Kremlin* class, inferior to the *Defence*; one of the *Pervenitz* class, still smaller, about equal to the *Pallas*; one circular ship, one turret-ship, like the *Monarch*, and 16 Monitors. Of Russian ships building, there was the *Peter the Great* intended to equal our *Devastation*, one circular ship, and two partially-protected armoured cruisers. Thus they had building and built two first-class sea-going turret-ships, two second-class armoured cruisers, six inferior broadside ships, two circular ships, and 17 Monitors for the Baltic. The German fleet built and building consisted of nine vessels—namely, one first-class, two second-class, and one small iron-clad, sea-going ships built, and three first-class turret-ships equal to the *Monarch*, and two first-class broadside ships like the *Sultan* building—in all nine, besides two very small turret-ships. Of other European Navies, Austria had 7 iron-clads and one building, all but two being of very thin iron—Italy had three iron-clads, and was building three—besides some which she was anxious to dispose of, and which,

*Mr. Childers*

perhaps, Her Majesty's Government might like to possess themselves of, seeing that they could scarcely be inferior to the ships in our Navy as described by the right hon. Gentleman the other evening. Turkey also has an effective second-class fleet. But he would put the matter to the only test which was possible in argument. He was about to state a proposition which, no doubt, would be very carefully criticized, and which he stated in order that it might be so criticised. He would state it in moderate language, and yet with the firm belief that he was not in the least exaggerating, or going beyond what was justified by the facts which he had given to the House—he feared in too great detail. His proposition was this: If—which might God avert—we should be, at 24 hours' notice, entangled, without an ally, in a war with the three principal maritime Powers, even allowing an ally to them, our strength was such that we should be able to hold our own in the Channel, in our Home seas, in the Mediterranean, and in the Chinese and Colonial waters. Within six months, such was the power of developing a force afloat which this nation possessed, we should have complete command of the seas, and have ruined our opponents' commerce; and within 12 or 15 months, at the outside, we should have added so many powerful ships to the Navy as would prevent any enemy's ship from putting to sea without the almost certainty of meeting with a superior British force. If that proposition were true, as he maintained it was, it was unpardonable—he was compelled to use strong language on the subject—that the First Lord of the Admiralty should come down and give to the country and to Europe, in a speech composed for political purposes and replete with party phrases, these depreciating descriptions of the Navy. He repeated that it was unpardonable to create that "scare" which his speech, his references to dummy ships and paper fleets, produced throughout the country. No doubt it was always easy, for a new First Lord to find excuses, and perhaps good ones, for spending £100,000 or £200,000. Let the right hon. Gentleman propose additional Votes and the House would discuss the point whether they were called for or not—although he should advise the right hon. Gentleman to study the speech of the Chan-

cellor of the Exchequer, and endeavour to provide for increased expenditure in one branch of the Navy by increased economy in the others, without disturbing the financial position. He ventured to warn the right hon. Gentleman against again embarking on the most dangerous sea of increased naval and military expenditure. The present Government had a majority of 60, and could do almost what they liked; but let them be certain that when the pinch came—as come it would—the country would lay the blame for increased taxation at their door. Economy might not be in fashion at this period of high wages and luxurious living, but, however temporarily popular, he implored the Government to pause in this baneful career. To have added, in a time of profound peace, to the already heavy expenditure on our armaments would be remembered against them long after the causes of their accession to power had been forgotten. It might be otherwise in troublous times—

"When Fortune, various goddess, lowers,  
Collect your strength, exert your powers;  
But when she breathes a kinder gale,  
Be wise, and furl your swelling sail."

MR. A. F. EGERTON said, that no one would grudge the right hon. Gentleman opposite (Mr. Childers) this long-deferred opportunity of defending his past policy. The right hon. Gentleman appeared to think that his right hon. Friend the First Lord of the Admiralty had selected an inopportune moment to justify the policy pursued by Mr. Corry; but if hon. Members would carry their recollections back a few years, they would remember the violent attacks made upon Mr. Corry's administration; and by none were those attacks more frequent than by the late Prime Minister, who, however, was everywhere answered by his right hon. Friend the present Home Secretary (Mr. Cross). What they contended was, that after Mr. Corry had left the Admiralty, the Navy had not been kept up in so efficient a manner as it ought to have been. The right hon. Gentleman the Member for the City of London (Mr. Goschen), in the speech which he had made, did not attempt to controvert the facts cited by his right hon. Friend. So much, indeed, was this the case, that the right hon. Gentleman's speech was generally regarded as one

of confession and avoidance. What they were discussing that evening, however, was not the policy of the late Government, but the Navy Estimates for 1874-5, and the Committee would therefore excuse him if he did not follow the right hon. Gentleman at great length. He thought the amalgamation at Whitehall, and some other parts of the policy of the right hon. Gentleman were meritorious, though there were other points open to doubt. The question of the Dockyards, for instance, was one that required — and he hoped would on a fitting opportunity receive—careful examination; but it was too soon, as yet, to expect the present Administration to be able to determine whether the changes introduced by the right hon. Gentleman were advisable or not. The right hon. Gentleman (Mr. Childers) claimed for himself and the late Government the merit of having exercised an economy which had resulted in a saving of £8,000,000 to the country. But the argument of the right hon. Gentleman appeared to be this: —“We saved the country £8,000,000, and there would have been no such saving if you had been in office.” For this assumption he could see no ground whatever. If a Conservative Government had been in power, the saving might possibly not have been so great; but it was utterly groundless to say that no economy whatever would have been effected. The increase of some £500,000 in the Naval Estimates of this year, only showed that the economies effected in past years could not be maintained. He referred to the increase in the Estimates since 1868, and it was probable that if the right hon. Gentleman opposite had remained in office till now he would himself have felt obliged to ask for a certain amount more money. He would now come to the question of our iron-clad fleet. On inquiry, he found the fullest confirmation for the statements which his right hon. Friend the First Lord of the Admiralty had made a few days since. He found that the total number of our iron-clads was 55, of which 41 were sea-going vessels, and 14 for harbour defence. Those 41, however, included five that were now being built, so that 36 would be left after making this deduction. There were, however, nine ships of an admittedly inferior type, and these would still further reduce the number to 27, and of these,

*Mr. A. F. Egerton*

18 were stated at the present moment to be effective. Besides these 18, we had 14 iron-clads fit for harbour defence, of which eight were stated to be effective ships. But if the late Government were right, in addition to reserve ships, which ought always to be in an efficient condition, we ought to have 21 sea-going iron-clads always in a most efficient state. At present, whereas we ought to have 21 effective ships, we had, adding the two rams to the 16 broadside iron-clads, only 18. This was a fact which had very properly engaged the attention of the First Lord of the Admiralty. It was quite a different question, whether we ought to have the three others. He denied that the right hon. Gentleman in introducing the Navy Estimates had in the slightest degree attempted to create a “scare.” It was his business to see that the reliefs on which the country counted were fit for service, and his remarks on the iron-clads had been made in accordance with this responsibility. What had been said by the right hon. Gentleman opposite (Mr. Childers) as to the strength of the British Navy compared with those of foreign Powers was no doubt true. Our Navy was certainly as strong as any two others, and would probably in a fight with many combined fleets be able to give a good account of herself. There was no desire to throw blame broadcast on the late Board of Admiralty. For his own part, he was quite ready to admit that the question as to the repairs of iron-clads was a most difficult one, the details of which had not as yet been mastered. Even now the main causes of deterioration of boilers were not known. All they knew was that, unfortunately, the improvements which had been made in the engines had led to a rapid deterioration of the boilers, and the First Lord had done the best thing in his power to remedy this state of things by appointing a Committee to inquire into it. With regard to another point, the Dockyard authorities stated that it was one of the most difficult things in the world to estimate, when an iron-clad came in for repairs, what the cost was likely to be. With increasing experience this would probably become less difficult, and it would be possible to tell how long it was desirable to allow a vessel to remain on service without being docked. But with regard to this subject

generally, his chief desire was to protest against the notion that there had been any intention on the part of the First Lord of the Admiralty to frighten the country. If the country would be frightened, it must be frightened, but he did not think there was any cause for it. At present we were, happily, in a period of profound peace; and no doubt there would be plenty of time to look around us and do what was best for our Navy. In reference to the management of the Dockyards, on which the hon. and gallant Member for Chatham (Admiral Elliot) had made a strong speech, he would make one or two remarks, such as might occur to any one, and without presuming, on a two months' connection with the Admiralty. The hon. and gallant Member had urged that by far the greater proportion of the workmen ought to be on the Establishment. An obvious objection to that course was that it would cause an enormous increase in the pension list. Then remarks had been made—which seemed really to have been intended to produce a “scare”—as to the effect unions might have on hired men. As a large employer of labour in collieries in Lancashire, he had had considerable experience of unions, and he did not stand in great fear of them. He had simply ignored them—that was to say, he did not mind whether his *employés* were in unions or not; he let them do exactly as they pleased. No doubt there had been of late the nuisance of unions encouraging strikes; but the general result had not been such as to lead him to change his conduct with regard to them. There were other questions—for the most part questions of detail—in connection with the Dockyards. These, however, could be more conveniently discussed when the particular Votes to which they related were submitted. As to the relative cost of building ships in Government Dockyards and in private yards, large ships, such as the *Minotaur*, *Thunderer*, and *Achilles*, could be built cheaper in the Dockyards, but small ships could be built for less in private yards. He had no doubt that the Board of Admiralty, as at present constituted, would be found competent to deal with all these matters.

LORD ESLINGTON said, while complimenting the right hon. Gentleman (Mr. Childers) on the ability of his defence, he felt some surprise that the

defence had been so long deferred. Moreover, it seemed to him that the right hon. Gentleman had led them into a somewhat unprofitable line of discussion. The policy he had defended was a policy of the past. It was a policy which, if not altogether abandoned by his successor in the office of First Lord, had been, at all events, considerably altered and departed from by him. He claimed credit for having saved £8,000,000; but the real question to be decided was, whether the savings effected had been true economies. The matter, however, which pressed for consideration was not the conduct of this or that Administration, but the present state of the Navy. The speech of the First Lord of the Admiralty had been severely criticized; but he thought that his right hon. Friend was deserving of much praise, for having been bold enough to tell the House the whole truth with reference to the Navy. His right hon. Friend had informed them that he had taken the Estimates of his predecessors; that those Estimates had been framed by the late First Lord, in conjunction with the heads of Departments; and, consequently, that they had been framed in accordance with the views of that right hon. Gentleman as to the requirements of the Navy. Now, a report had been in circulation, and had received a certain amount of confirmation from publication in the Press, to the effect that very shortly before the late First Lord left the office, he was informed by his naval advisers that the state of the Navy was very unsatisfactory, and, moreover, that to render it satisfactory, a very large outlay of money would be required. As an independent Member of the House, he desired to ask whether there was any truth in this report? [Mr. GOSCHEN: Am I to answer the question now?] The right hon. Gentleman might please himself on that point, he should prefer an answer later. If the report was true, it afforded a complete justification of the course which had been taken by the present First Lord. It was the absolute duty of the First Lord of the Admiralty to tell the country fairly what the state of the Navy was, and he was sure that the House would not grudge any outlay which might be necessary to remedy any defects which might be found in it, for the people of England would never sit



patiently under the imputation that their Navy was not in an efficient condition. Now, his complaint was that the Admiralty, with all its resources, science, and expenditure—and he was very much of opinion that science and expenditure were synonymous terms—had not up to the present moment succeeded in furnishing the country with what could be regarded as in all respects the efficient fighting ship for the future. Admiral Sir Sidney Dacres stated before the Committee on Designs, that the war ships of the country were unhandy and unmanageable, and another gallant Admiral gave expression to a similar view with regard to the ships of the *Vanguard* class. Such was the view which led to the construction of the *Devastation* and her sister vessel the *Thunderer*. He saw that ship some time ago in company with a gallant Admiral, a friend of his, and when they went into the stoke-room they found the heat was tremendous. He asked the commander what was the cause of that great heat, and he said it would be still greater if all the five fires were lighted, whereas there were only two then alight. The gallant Admiral who was with him also pointed out another disadvantage, and that was, that she could not be driven with her head to sea at a high steam power, and that if she were, in the Atlantic roll to encounter a cross sea, she would also run a great risk. Costly alterations, had, however, since been made in the *Devastation*, and he believed she was perfectly competent to discharge the duty to which she was now, it appeared, relegated—that of a ship of defence in the Channel or near home. An enormous pilot tower which she carried, and which weighed 40 tons, had been removed; but those alterations justified him in saying, that the *Devastation* of to-day was not the *Devastation* of a year ago. But she, and such vessels as she, were at a discount, and were not to be looked upon in the light of ocean-going fighting ships of the future. Now, there was the *Inflexible*, of which the right hon. Gentleman opposite (Mr. Goschen) had given a very glowing account last year, stating that no ship could steam faster or carry heavier guns, and that she was to be made almost impregnable with 12 or 14 inches of armour. Well, if that was so, why, he wanted to know, was not her construc-

tion hurried on a little more quickly, so that the English people might see that they had an ocean-going fighting ship—a thing which they had been looking for for a long time, but which, according to the highest authorities on the subject, they did not yet possess. After all that had been said on the subject of the Navy of late, it was quite clear, he thought, that the idea of any large reduction in our naval expenditure could not be entertained. His hon. Friend, the Member for Pembroke (Mr. Reed) who had spoken most ably on the subject, had told the House that under the head of training men at sea, no decrease was to be expected, taking the present cost of the ships and the diminished number of the crews. The cost of such training he represented as an enormously increased cost, and if the same number of men were to be trained—and nobody ventured to say there were too many men—the calculation of his hon. Friend would probably be found to be correct. Then a good deal was said about boilers; but there was, perhaps, a crumb of comfort to be found in connection with that subject, because it was pretty evident that boilers which might be incapable of working up to 70 on the square inch, might very well work up to 30, and do useful work near home. They heard a great deal about foreign Navies. He ventured to think, when they were discussing their own Estimates in the House of Commons, that those frequent references to foreign Navies were objectionable. He granted that that consideration must have a material influence on the action and policy of the Admiralty; but why should not the House of Commons put our Navy in a state worthy of the first naval Power of the world—for that was our admitted position—without reference to foreign Navies at all? He thought those comparisons were odious, and offensive to Foreign Powers. The present Prime Minister told them two years ago that military and naval armaments depended very much upon our foreign policy. Well, we had now at the Foreign Office perhaps the calmest and most prudent statesman of our day. Lord Derby was not the man to say or write anything that was likely to bring about a war with any State, much less a combination of two or more of the maritime States of Europe

against us. He had very great confidence in that noble Lord, and the nation, he believed, shared that confidence with him. Therefore, there was no reason for panic-stricken legislation, or for rushing into any extravagant schemes of naval construction. But what he thought was necessary, and what he urged on the Admiralty was, that they should put our fleet—and should appeal to the House of Commons fairly for the means of putting it—in a condition worthy of the dignity and the position of this great country. His right hon. Friend (Mr. Childers) at the end of his speech, went into a very long and most unnecessary detail of the naval resources of France, actually comparing the small amount of her Estimates with our own large Estimates. But he entirely forgot to remind us that France was only just emerging from one of the most severe financial crises ever known; he forgot, moreover, what was the standing menace of France—Germany with 1,100,000 armed men ready to leave their barracks at any moment; and he also forgot what was still more important—that the darling day dream of France was the recovery of her lost provinces, Alsace and Lorraine,—an enterprise in the execution of which her fleet could do little or nothing. Well, what the nation was—he would not say alarmed but—annoyed at was that, after what had been held up to them as a very successful and economical naval policy for several years, our Navy was not in an efficient condition, and that was the opinion of the naval advisers of the Admiralty. In conclusion, then, he urged them to press forward the work on the ships they had in hand with greater energy, and—in the words of an American statesman already quoted by the right hon. Gentleman (Mr. Childers) that evening—he “hoped that the proper steps would be taken to prevent the decline of our Navy.”

MR. T. BRASSEY said, he hoped there would be a disposition on both sides of the House to adopt a more uniform and steady policy with regard to naval expenditure than had prevailed of late years. He earnestly protested against the fluctuating policy of our naval administration. The efficiency of the British Navy ought never to become the battle-field of political partisans, and he hoped Parliament and the country would

pronounce a definite opinion, obligatory on successive naval administrations, at least until the relative positions of the British and foreign Navies were materially altered. Under existing circumstances, all that was required might, he believed, be accomplished with an average expenditure of £10,000,000, though in some years, with an exceptional proportion of repairing, an addition to that average might be required. The average yearly expenditure for the 10 years previous to 1869 was £11,587,041, and for the next five years £9,785,915. A slight addition to the average expenditure of the late Administration, which might, perhaps, have allowed barely enough for repairs for iron-clads and the construction of a sufficient number of unarmoured vessels to relieve those now in commission, would keep us well ahead of every conceivable combination of naval Powers which could be formed against us. No real economy could be obtained in dockyard and naval administration without observing the principle of an equable rate of expenditure. In an essay on labour and wages he had drawn attention to the fact that in 1865, when there was great pressure on the labour-market, wages reached a point at which they had never stood before, and yet shipwrights at Sheerness were content to work at 4s. 6d. a-day, when they could have obtained 6s. 6d. at many shipbuilding establishments on the banks of the Thames. They preferred more moderate wages with a certainty of employment to higher wages without such certainty. Hasty dismissals of workmen from the Dockyards should, therefore, be avoided as tending to impair the confidence of permanency, but it did not follow that the reduction of the numbers of established men was impolitic. With a large number of these men, the Dockyards might be encumbered with many useless people, against whom no definite charges could be made, and who could not, therefore, be got rid of. The idea had, until lately, too widely prevailed that Dockyard administration was a synonym for extravagance; but he believed it was in some respects superior in quality and approximately equal in cost to the work done in the private trade. No private employer could obtain as good workmen as the Government for the wages paid in the Dockyards; and among the salaried officers, many would be found who

could obtain three times as much pay in the private trade. He thoroughly concurred in the spirit of the declaration made by the First Lord of the Admiralty that it was not a proper thing for the Admiralty of this country to possess a fleet merely upon paper. Whatever ships were put forward as those on which the country might rely, should be kept in such a state as to be able to be sent to any part of the world where their services might be needed. The truth was that the general condition of the Navy was the joint result of successive Administrations, and it must be a source of satisfaction to know that that condition was judged of approvingly by those who watched the state of our Navy from a foreign point of view. The Commission which reported to the French Assembly on the Budget for this year suggested that those who were disappointed at reductions being found necessary in French naval expenditure, might find some consolation in the fact that at present it was impossible to determine what type of ship should be adopted by French constructors. Baron Grivel, a great authority on naval construction, pointed out the defects which existed in vessels fully protected with armour, and showed that a vessel fully protected with armour could hardly be produced at a moderate draught of water. As long ago as 1860 it was laid down by Lord Lauderdale and other naval officers that the draught of vessels intended for coast defence purposes should not exceed 16 feet. When a policy of increased expenditure on account of iron-clads was suggested, it should be remembered that it had been stated by Admiral Porter, of the United States Navy, that torpedo boats would soon become the light dragoons of the fleet, and would, under cover of their smoke, be enabled to attack the largest vessel with impunity. He would now inquire whether there had been anything either in the construction or the mode of using the boilers of our iron-clads which had led to their premature deterioration. From a recent Return, it appeared that the *Minotaur*, completed in 1867, and the *Valiant*, in 1868, were now receiving new boilers, and that the *Bellerophon*, which was completed in 1866, received new boilers in 1870. In these cases the duration of the boilers was decidedly inferior to the

results obtained in the merchant service. By the kindness of Mr. Burns, one of the owners of the ships of the Cunard service, he was enabled to state the results obtained in two steamers belonging to that company. The steamship *Russia* left Liverpool on her first voyage on the 15th of May, 1867, and in November, 1872, completed her 53rd voyage to and from New York. In this service she had run 328,600 knots, and was then laid up for repairs. Her boilers were lifted and re-tubed and the bottoms renewed. A new steam chest and funnel were added, and her engines were put in thorough working order, the whole being effected at a total cost of £16,444. She left Liverpool again in the following March, and up to March last had performed 10 additional voyages, or 62,000 knots. The *Scotia* left Liverpool on her first voyage to New York in May, 1862, and commenced her 78th trip in April, 1874, having in the interval run a distance of 483,600 knots. It was found that the Cunard steamers required re-tubing after about 50 voyages between Liverpool and New York, and the boilers were then re-tubed, but not renewed in any other way. He questioned if any such result had as yet been accomplished in a man-of-war. Again, he entertained some doubts as to whether the boilers of the ships in reserve were as carefully preserved as they ought to be. It was the practice, he believed, until a recent period, to get up steam at least once a year in every ship in the Steam Reserve. He was informed that such a plan was most detrimental to the boilers. It remained to be considered whether the appointment and professional instruction of the Engineers of the Navy left anything to be desired. It seemed to him that too many highly educated men were employed in the engine-rooms of our men-of-war. Skilled mechanics would perform the manual duties as well or better, and they would not feel the social disadvantages of the junior grades of engineer officers, nor the same discontent at the want of promotion. This change had recently been made, and with satisfactory results, in the United States Navy. In our Navy the pay of the highest grade of engineer officers was on a liberal scale, but the subordinate grades were most inadequately paid. There were in our service a class of engine-room artificers. These men had become more and more essen-

*Mr. T. Brassey*

tial on board ships fitted with the complicated appliances introduced into the later iron-clads. They ought to be operative mechanics of the highest class. But the pay of 5s. a day was insufficient to induce the best qualified artizans to serve in the fleet. The system of introducing into the Navy engineers from the private engine building establishments had ceased. All our engineer officers were now trained by the Government, and it was a question whether that training was in all cases as practical as it ought to be. He should be glad to see the opportunity still given to the sons of *employés* in the Dockyards to become engineers in the Navy; but he should also recommend that a certain proportion of the appointments should be given to individuals coming with satisfactory recommendations from the great engine-makers. On the subject of remuneration, he entertained a strong opinion that the salary of the Engineer in Chief of the Navy, and the pay and position accorded to the engineer officers of the Navy, and especially the superior officers at the Admiralty, were insufficient. He also thought that our officers and seamen should not be embarked in unnecessary numbers in iron-clads in time of peace. They would be much more likely to acquire proficiency as seamen in large ships capable of being manœuvred under sail. Considered as a floating barrack, as a gymnasium for the physical training of seamen, a three-decker, such as the *Marlborough*, offered immense advantages over the *Devastation* or the *Fury*. There would be a considerable economy in adopting the course he suggested. By keeping the iron-clads in reserve, and adopting the most effectual means for the preservation of the boilers, our fighting vessels would be preserved from deterioration. He suggested that, in order to afford means of instruction to our seamen, a sufficient number of iron-clads of each type should be attached to the gunnery ships, and also that a squadron of such vessels should be sent to Malta or Bermuda for training purposes in peace, and for immediate service in war. He looked upon the great Mercantile Marine of the country as the very backbone of our naval power. It was impossible to sustain our Navy without the aid afforded by the Mercantile Marine, not merely as a nursery for seamen, but in

the maintenance of great shipbuilding establishments, capable of furnishing shipbuilders, and all the materials we required when it became necessary to make large additions to our fighting Navy. When we took that into account, any doubt or misgiving as to our naval superiority need no longer be entertained.

MR. BENTINOK remarked that the great wear and tear in the machinery of our ships was owing to the fact that the late Government, through a desire for economy, had supplied the Navy with cheap mixed coal, which destroyed the machinery more rapidly than good coal would have done; and thus, instead of saving our money, they had, by false economy, brought upon us a large expenditure. With regard to the remarkable ship the *Devastation*, they had been told by some that she could do everything, and by others that she could do nothing. He certainly was surprised to hear a competent authority assert that she was a sea-going ship. Of course she would float; but if she was caught in a gale of wind which required her hatches to be battened down for several days the crew would die from suffocation. She was no doubt a valuable ship for home defence. The right hon. Member for Pontefract (Mr. Childers) had made an admirable speech; he had put everything in a charming position for himself; he had proved that everything he had done was for the best, and that everything everybody else had done was for the worst. He would not attempt to disturb the right hon. Gentleman from that charming position; and therefore he would at once proceed to refer to the speech of the right hon. Gentleman the Member for the City of London (Mr. Goschen), because it appeared to him that that speech was pregnant with very important matter. The right hon. Gentleman had, in his statement the other day, given the House details which, coming as they did from so high an authority, must be assumed to be correct, and which had contributed no little to the "scare" which the country had received in reference to our Navy. The statement of the right hon. Gentleman amounted to his saying that we had no Navy at all. He stated that of the very small number of ships which we did possess, the greater part were not in an efficient condition.



MR. GOSCHEN explained that what he had said related to the cost of putting certain of the ships into a good condition.

MR. BENTINCK said, that the details which the right hon. Gentleman had given showed that the Navy was not in an efficient state. Indeed, all went to show that at the present moment the condition of the Navy was most inefficient, and his statement had been endorsed by what had fallen from the present First Lord, and from hon., right hon., and gallant Members on this subject. The right hon. Gentleman in his speech had done what was scarcely necessary for him to do; he had gone the length of apologizing for what he termed his extravagance in the matter of Naval expenditure. He could assure the right hon. Gentleman that whatever charges might be brought against him with regard to our Navy, that of extravagance would not be one of them. The right hon. Gentleman went on to make a boast of the number of ships he had built—why, comparatively speaking, he had not done anything in the way of building ships at all. The result of his administration, by his own showing, was that we had hardly any Navy we could send to sea. ["No!"] The right hon. Gentleman had explained that one of the causes of his extravagant expenditure upon the Navy was the increased cost of repairing our iron-clads. That was no new story; when the right hon. Gentleman first took office he was aware that we should have to spend more in repairing our iron-clads and in maintaining our Navy in an efficient condition than we had done formerly. Then he went on to state that as fast as we built ships they went out of date; but that was an argument against building any iron-clads at all. But, allowing ourselves to entertain the agreeable idea, just for the sake of argument, that we possessed a Navy which we could send to sea, where was our reserve of ships of war in case our present fleet was crippled by an engagement with an enemy? Successive Governments had reduced our Dockyards so that we could not rely upon them to repair our ships in times of emergency, and we should have no vessels to take the place of the injured ones. He regretted the unwise course that had been pursued of getting rid of our old screw line-of-battle ships,

which would have been well fitted to contend with the crippled remains of an enemy's fleet. That was the description of ships we ought to have to make sailors; you could not make sailors on board an iron-clad. Under the present system expensive vessels were sent to sea for the purpose of training men who were able to learn nothing on board of them, and which were in so inefficient a condition that in the event of the outbreak of war, when speed would be a great element of strength, they would be found to be almost perfectly useless. But the alarm which the statement of the late First Lord of the Admiralty was calculated to create was increased by what fell from his right hon. Friend who was now at the head of the Department. He was unable, he must say, to reconcile his right hon. Friend's statement in moving the Navy Estimates with that which was made a few nights afterwards by the Chancellor of the Exchequer. It was always better to speak out on those occasions, and he hoped before the end of the debate the obscurity in which the two statements involved the subject would be cleared up; because, if the Navy was in the state represented by the First Lord of the Admiralty, he was at a loss to understand how the very small sum mentioned by his right hon. Friend the Chancellor of the Exchequer could meet the difficulties of the case. There was another very important point to which he wished to draw the attention of the Committee. He saw that morning in *The Times* a paragraph copied from *The Pall Mall Gazette*, which was as follows:—

"It appears that long before the resignation of the late Government, Admiral Sir Alexander Milne and his professional colleagues were impressed with the fact that our sea-going fleet was not in such a state as to comport with the position of the first maritime nation of the world. They were also aware that we were very weak in reliefs; they therefore felt bound to express their views in writing to Mr. Goschen, and declared in doing so that a considerable outlay was necessary to carry them out. Whatever may have been the opinions entertained by the First Lord of the Admiralty, he did not feel justified in taking any step on his own authority which might lead to additional expenditure, and he laid the communication which he received before the Cabinet."

That was a statement which was tolerably clear. [MR. GOSCHEN: And intolerably false.] He was glad to hear the denial of the right hon. Gentleman.

Having seen the statement in the leading journal, he thought it was only just to him that the opportunity for giving that denial should have been afforded him. He hoped, however, that the right hon. Gentleman would be more distinct and explicit in his disavowal of the truth of the paragraph in question; for what the Committee wanted to know was, whether the late Board of Admiralty ever received any communication from their naval officers complaining of the condition of the Navy, and calling upon the Board to expend a large sum of money to place it in a state of greater efficiency. That was a point on which he should like to have a clear and definite answer from the right hon. Gentleman; and he would simply add the expression of a hope that his right hon. Friend at the head of the Admiralty would be prepared to remove the "scare" which now existed with respect to our naval resources. He might rest assured that the House and the country would grudge no outlay which might be necessary to put our Navy on a satisfactory footing.

MR. SHAW LEFEVRE said, that after the long and able speeches of his right hon. Friends near him he should not have trespassed on the time of the Committee, had he not held a somewhat important position in the administration of the Navy under the late Government. For five years that Government had carried on the affairs of the country, and now great lamentations were raised as to the bad condition in which they had left our fleet, and great complaints were made that the Dockyards had been reduced to a state of disorganization. Well, that being so, the House had heard what was the view taken by the Chancellor of the Exchequer of all those statements. It was measured by the sum of £100,000. That was all the difference between the two Governments after five years of administration. All the delinquencies of the late Government could now, it seemed, be covered by that very moderate amount. That admission, he contended, afforded the best testimony to the soundness of the policy which that Government had pursued. Those who looked to the right hon. Gentleman's Colleague, the First Lord of the Admiralty, would no doubt be disposed to take a much more serious view of the case, although he, too, had made no

complaint on the *personnel* of the Navy, while he was silent on the subject of stores. With respect to stores, he might perhaps be allowed to ask the right hon. Gentleman if it was true that he found himself able to divert a small sum from the money voted for stores to the Ship-building Vote, for if true there could be no stronger evidence that our Dockyards were not insufficiently supplied. He should also like to know whether the right hon. Gentleman was not of opinion that our stores were, as a whole, in good condition? Now, although the speech of the right hon. Gentleman in bringing forward the Estimates was somewhat alarming, that to which the House had listened from the Secretary to the Admiralty (Mr. A. F. Egerton) was most moderate in its tone. That hon. Gentleman admitted that our Navy would, if called upon, be prepared to meet all the Navies of the world, the only deficiency in our fleet, in his opinion, being that three vessels required new boilers. His Colleague, however, while adopting a different tone, informed the House that he was not in a position to state how much money would be required to supply the deficiencies to which he drew attention. It would now appear to amount to £100,000 and possible savings from some other Votes. But if the Navy was in a bad state it was the duty of his right hon. Friend to ask a Vote to put it in a good state; and if the Chancellor of the Exchequer were to dispose of the whole surplus it would be idle to come down to the House and complain of the condition of the Navy. The Committee, however, was not without a test in this matter, for it appeared that the weight of responsibility on the Government with regard to the Navy was not equal to the weight of their responsibility for the burden of the horse duty. That duty amounted to £500,000, and if not abolished this year would have afforded a large sum of money for the Navy. And here he would say that the right hon. Member for Stamford (Sir John Hay) had lost an opportunity of providing means for putting the Navy into that state of efficiency in which he wished to see it, for he had taken no action to prevent the abolition of the horse duty. Now, either the Navy was in an efficient condition and then no money was required for it, or it was inefficient and

then money ought to be supplied to render it efficient. The hon. Member for West Norfolk (Mr. Bentinck) had stated that his right hon. Friend (Mr. Goschen) admitted the Navy was not efficient. But that was an entire misrepresentation of the drift of his right hon. Friend's speech. What his right hon. Friend had said was this—"If the Navy is inefficient, we have left you a surplus, out of which you can put it in an efficient state." He had no wish to follow the First Lord of the Admiralty into an historical disquisition as to the merits of the late Mr. Corry. He had always acknowledged that Gentleman's merits, though he thought him inclined to spend too much money. The First Lord of the Admiralty gave the late Government credit for gradually increasing the expenditure during the last two years until it approached the point at which it had been left by Mr. Corry. But the right hon. Gentleman did not make sufficient allowance for the increase in prices. There had been an increase in the naval expenditure of £400,000 last year and £500,000 this; but all that sum, with the exception of £100,000, was due to the increase in the rate of wages and the rise in the price of coal and iron, and especially of engines and ships built by contract. In France the rise in prices was estimated at 30 per cent, and in this country if he took it at 25 per cent he could not be far wrong. But the late Government proposed to put an addition of 1,300 men to the Dockyards, which would represent an increase of cost of from £90,000 to £100,000. Practically the Navy Estimates for the past five years had been nearly at the same point from year to year. The Committee would observe that these Estimates had been explained by the First Lord of the Admiralty in a hostile spirit. For the first time in his experience the Navy Estimates had been introduced by a right hon. Gentleman on the Treasury Bench who, while he put them forward as the Estimates of the Government, stated at the same time that he was not satisfied with them. Now, he objected very strongly to the form of the right hon. Gentleman's statement. By exaggerating the number of iron-clads, and by inserting vessels which were now building, vessels which were obsolete, and others which never ought to be included in the same list as

*Mr. Shaw Lefevre*

vessels like the *Sultan* and the *Hercules*, the right hon. Gentleman swelled the number of our iron-clads up to 55; and then by taking a very unfavourable view of several of them, he made it appear that the proportion of efficient vessels to the total was very small. The fact was we had not 55 iron-clads—we never had, and never intended to have, so many. It was admitted that five were building for the purpose of replacing others which had become obsolete, and therefore he would deduct them. He would likewise deduct six small vessels, among which were the *Viper*, the *Scorpion*, the *Wivern*, and the *Enterprise*, three of which were gunboats, and the rest were never powerful vessels. That brought down the total to 44, and from that number he would also very properly deduct six other vessels of the *Caledonia* class. These were converted iron-clads, which had been discounted long ago as not being of a durable character, and they ought not to be included in any permanent list of iron-clads used for the purposes of comparison. It would be unwise to repair them for a four years' commission, though they were not without some value and might be repaired at a moderate expense sufficiently to take a position in a second line in the Channel in an emergency. Deducting these we had 38 iron-clads. The First Lord had not given his classification, and by not doing so had caused alarm; but it might be laid down that the most recent and most powerful vessels were the most efficient, and it was the weaker iron-clads that were the least efficient. The 38 might be divided into two classes—the unmasted Channel offence and defence fleet, and masted sea-going vessels. The first class included 11 vessels, the *Devastation*, the *Thunderer*—which could be completed in a few months—the four vessels of the *Cyclops* class, the *Rupert*, the *Glatton*, the *Hotspur*, the *Royal Sovereign*, and the *Prince Alfred*. He would not accept the gloomy views that were taken of the *Devastation*. The Report of Captain Hewitt showed that it was a vessel of the greatest value; and, as to its being a vessel which could not be forced against a head wind in all weathers, what vessel could be? It might be used for offence or defence in the Channel and the Mediterranean, and possibly for crossing the Atlantic. The vessels he had named—all, except the

*Royal Sovereign* and the *Prince Alfred*, built within the last five years—were most powerful; they were armed with the largest guns known, and made our coast invulnerable. No Power could approach our shores in the face of this fleet supported by 22 gunboats of the *Stanch* class, each carrying an 18-ton gun, and all built within the last five years. This fleet, laid down by the right hon. Member for Pontefract (Mr. Childers), set free our masted iron-clads for any part of the world. French naval officers were of opinion that at this moment Cherbourg was entirely at the mercy of this fleet. These vessels, except the *Devastation*, which was on trial, were in our Dockyards, and their boilers might be expected to last for many years. This fleet alone must give the country a great sense of security. Deducting these 11 from the 38, there remained 27 sea-going masted vessels, all the best and strongest of which had been launched and completed within the last six years. There were six of the *Audacious* type, the *Sultan*, the *Hercules*, the *Monarch*, and the *Bellerophon*. All were in order except the *Monarch*, which would be ready in a few weeks. These 10 were the most powerful sea-going masted vessels in the world. Beyond those 10 vessels there were 17 others of various classes and types which had been built at different times. There had been two periods of activity in the building of iron-clads—one from 1862 to 1865, when 24 were launched and completed, and the other between 1865 and 1871, when 17 were launched and completed. All those completed at the latter period were in the best order and condition; but the others, built at an earlier period, had required some repairs within the last two years. Last year for the first time the Admiralty found these vessels coming upon them in considerable numbers, and his right hon. Friend, in laying the Estimates before the House, explained the difficulties which had arisen on account of the repairs necessary for these iron-clads, and asked for 700 additional men in the Dockyards. With that aid it was hoped they would be able to repair six of the iron-clads during the year. The Estimate of the Dockyards, however, had proved inadequate. It turned out when the vessels came into the Dockyards that the expense of repairs was infinitely greater than had

been considered possible; therefore, instead of being able to repair six iron-clads, they were only able to repair four—the *Defence*, the *Resistance*, the *Warrior*, and the *Bellerophon*. The repair of the *Minotaur* and the *Black Prince* was postponed to this year; and having in view the enormous cost of the repair of the vessels he had referred to, his right hon. Friend had asked for a further addition of 800 men, and with that addition he proposed to repair six iron-clads in the Dockyards during the present year. With six to be repaired in the following year the difficulty of repairing these iron-clads would be entirely overcome. The other vessels to which he had alluded were the *Agincourt*, the *Northumberland*, the *Penelope* and *Favourite*. These vessels were in commission. It was true they were working at a reduced pressure; but their maximum speed was only reduced from 14 to 12½ knots, and in the opinion of the Controller of the Navy they were perfectly able to retain their place in their squadrons. The *Agincourt* had been only five years in commission, and the *Northumberland* only six; it was therefore thought more prudent to postpone their repair till next year, leaving them for this year in their present stations. If, however, the right hon. Gentleman the First Lord of the Admiralty chose to spend £100,000, which was the measure of the deficiency of the Admiralty, in repairing these vessels—and he might repair two of them—he should have no objection. With respect to the building programme, it should be remembered that we now possessed the three most powerful iron-clad fleets in existence. The first consisted of the mastless vessels, and contained 11 of the most powerful vessels in the world; the second fleet contained 10 of the best sea-going iron-clads in the world, and we had also 16 others of various classes and types. The first two of these fleets did not exist five years ago. They were entirely the creation of the last five years. [Captain PRICE: When were they laid down?] They were launched and completed within the last five years. Let the Committee compare the state of the Navy now with what it was five years ago, and they would find that unquestionably the iron-clad fleet was now in a stronger position than it had ever been before. We had now five vessels in



hand, and the question whether we should undertake to build more should have some relation to the force of other Powers. What gave the country the greatest security, was that nearly all our ships were iron, whilst the only other powerful sea-going fleet, that of France, consisted almost wholly of wooden ships armoured; and all experience showed that these vessels would not last. He believed that only two of the French masted sea-going vessels were built of iron, and two more were now being built. He could confirm what had been stated by his right hon. Friend (Mr. Childers), as to the present position of the French Navy. They had the same difficulty we had experienced as to the repair of their iron-clads, with this difference—that they had no men to repair them, because in the last three years there had been a reduction of 10,000 men in their Dockyards; and, in fact, their fleet was gradually perishing away. A question had been asked by the noble Lord the Member for Northumberland (Lord Eslington), and also by the hon. Member for West Norfolk (Mr. Bentinck), whether it was true that a communication had been made by the naval officers of the late Board to the then First Lord of the Admiralty, and referred to the Cabinet, with reference to the state of the Navy. He could distinctly state that no formal representation of that kind was ever made by the naval officers of the late Board, and that no representation of that kind was made to the Cabinet. He need hardly say that, while the Estimates were in course of preparation, a distinguished officer like Sir Alexander Milne, whose services were so useful to any Board of Admiralty to which he might be attached, and who would be desirous of increasing the work in the Dockyards, no doubt from time to time made representations of that kind to his right hon. Friend, who so far met his views as to propose an increase of no less than 800 men in the Dockyards; but the Estimates having been finally made up on that basis, no further representations were made to his right hon. Friend. 800 additional men were all that were asked by the Controller of the Navy for the work it was proposed to take in hand. He, therefore, distinctly stated that no formal representation had been made to his right hon. Friend the late First

Lord, and no representation of any kind was made to the Cabinet. The Estimates, as finally made up, were approved and signed by the naval officers in question. Like the French Navy, that of America was declared on official authority to be in an extremely bad state. The First Lord of the Admiralty had said that our Navy consisted of paper vessels and phantom ships; but during the last five years the late Government had constructed no less than a total of 100 vessels. Looking at the fleet as a whole, he ventured to think that it never was really in a stronger or better condition than at present. He confidently believed that his Colleagues had left the Navy in an efficient condition, and that they were not fairly open to the reproaches of the right hon. Gentleman. In his judgment it was not expedient that the House or the country should be called upon to rush into hasty expenditure, and, indeed, he did not understand that the First Lord of the Admiralty intended to follow out his speech by proposing to the House any large outlay of the public money.

MR. HUNT said, that when he listened to the speech of his right hon. Friend the Member for Pontefract (Mr. Childers) it seemed as if he caught an echo of an article which had appeared in print that morning, and in which he was threatened with a severe rebuke for having dared to tell the House of Commons the truth about the iron-clad Navy. He confessed he was not inclined to “kiss the rod,” even when it was wielded by the gentle hand of the right hon. Member for Pontefract. In making the statement the other night as to the condition of the iron-clad fleet, he was merely discharging his duty as the person charged with the administration of the Navy. For weeks alarming statements had been made in public prints—statements containing not merely general charges against the efficiency of the fleet, but going into particulars to show that our ships were not to be relied on. Then there was a debate in “another place,” on a Motion which was not pressed in consequence of a promise being given that the matter should be noticed by himself when he introduced the Navy Estimates in the House of Commons. Again, a Motion was placed on the No-

tice Paper of that House by his right hon. Friend the Member for Stamford (Sir John Hay), who intended to call attention to the condition of our iron-clad fleet, and to move for a Committee of Inquiry. Under these circumstances, it appeared to him to be his duty to state to the House as plainly as he could—subject to those considerations which must necessarily influence any man in his position—what the actual condition of things was. He endeavoured to tell a plain, unvarnished tale, and he ventured to think that the tale he told was one which could not be impugned. On that occasion he stated to the House the mode in which he had endeavoured to arrive at the truth. He stated that he had had the assistance of the officers of the Department and of his naval Colleagues; that he had endeavoured to check their opinions by the opinions, as far as he could get them, of the commanders of different stations, and that he had arrived at the facts in this way. But he would now state—for the statement was called for by some remarks which had been made—that the classification of the ships as he described them, and the very words he used, had the sanction of his chief naval adviser. He was alluding now to that part of his statement which had reference to the iron-clad fleet. And who was his chief naval adviser? Why, the chief naval adviser of the right hon. Gentleman opposite (Mr. Goschen). [Mr. GOSCHEN: Had the right hon. Gentleman the sanction of the Controller of the Navy?] He had the assistance of the Controller in ascertaining the condition of the fleet. The Controller, however, was not his naval adviser. His naval advisers were the Sea Lords, and he had the assistance of the whole of the Sea Lords in ascertaining the condition of the iron-clad fleet, as well as the assistance of the Controller. Well, under these circumstances, he thought it was not to be wondered at that the right hon. Gentleman who followed him in the debate did not deny the facts he had stated. He had been told his statement created a “scare.” Surely, when taken by itself, it was not calculated to produce a “scare.” It excited some surprise because it was contrasted with the more flattering accounts given of the Navy by responsible people at no distant period, and he believed it created a “scare” be-

cause it was followed by a speech of the right hon. Gentleman (Mr. Goschen), who, while he did not deny the truth of the statement which had been made, said that if the Navy was in such a state as was represented, £6,000,000 was available to put it right, and when the right hon. Gentleman talked of millions, of course he was using language calculated to create alarm. People said—“Good God, is the Navy in such a state that £6,000,000 are wanted to put it right again?” It was that speech, coupled with the statement of the hon. Member for Pembroke (Mr. E. J. Reed), which created the “scare.” The hon. Member talked about “phantom ships” being paraded before the country. [Mr. E. J. REED said, he never used any such phrase.] If his (Mr. Hunt’s) memory were faulty, he must apologize; but he certainly thought he remembered that expression. At all events, the hon. Gentleman used language calculated to aggravate the impression which his (Mr. Hunt’s) statement with regard to the Navy had made. If they could not understand the speech made by the right hon. Member for the City of London (Mr. Goschen), it was from no want of interpreters. He had explained it himself during the debate on the Budget, and they had had two explanations of it to-night. He (Mr. Hunt) had been taken severely to task not only by his right hon. Friend the Member for Pontefract to-night, but by the right hon. Gentleman the Member for the City of London on the night of his statement, for importing what they called political and party questions into this subject of the state of our fleet. Those who had sat with him for years in the House could bear witness that he never imported into a debate unnecessarily anything of a party character. But on the occasion in question it was necessary for him to contrast two different kinds of policy—the policy which had been adopted by those with whom he had acted on a former occasion, and the new policy adopted by those who occupied a position of power between the two Administrations of which he had been a Member. He thought it necessary also and right to vindicate the memory of his right hon. Friend (Mr. Corry), whose policy on naval matters had for many years been so severely attacked. If in taking a retrospect of

the naval policy which had been pursued in this country he made use of any words which had anything of a party colour about them, all he could say was that he did it for the purpose of his argument, and not for the sake of exciting angry feelings. And, notwithstanding the denial of his right hon. Friend (Mr. Childers) that the Estimates in his time did not arise out of political necessity, he (Mr. Hunt) was sorry to be obliged to adhere to his opinion. He traced it all to that celebrated Lancashire campaign in 1868—he was sorry the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) was not then present—in which the necessity for a large reduction of expenditure was advocated with that eloquence which the House knew the right hon. Member for Greenwich could command. Why was his right hon. Friend (Mr. Childers) sent to the Admiralty? To cut down expenditure, and no doubt he carried out that view. He said that an alteration of the Estimates involved economy. His (Mr. Hunt's) argument the other night was that it did not involve economy, and that his right hon. Friend pursued a false economy. He did not think that the administration of the Navy ought to be conducted on any other principles than those which should be acted on with regard to a private estate. If a tenant for life without impeachment of waste was an unscrupulous man—he did not say that his right hon. Friend was an unscrupulous man—he put all the money he could get out of the estate into his pocket, and left the remainder man to shift as he could. When the remainder man came into possession he found that a magnificent revenue had been obtained for several years, but that all the farm buildings on the estate were dilapidated. Well, that was a policy which he (Mr. Hunt) thought ought not to be pursued either in private life or with regard to public affairs. But that was the policy which had been pursued more or less—for a certain time, at all events—by the late Administration, and that was a policy which he endeavoured to show was not one which could be called a policy of economy. Well, the money saved in that manner did not go into the pocket of his right hon. Friend; but his great object was to show a large surplus, and what he had done to reduce taxation. He (Mr. Hunt) was not insensible to the merits of

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a reduction of taxation. He thought that every sixpence which could be saved legitimately to the pockets of taxpayers ought to be saved. His right hon. Friend had gone into figures with regard to the expenditure on the Navy in a manner which involved a great fallacy. It was not the first time that his right hon. Friend had made comparisons similar to that which he had made that evening. He had made a comparison not only with regard to naval expenditure but with regard to expenditure generally, and then he had recourse to averages. That system of averages was very fallacious. First of all he took the two years when Mr. Corry administered the Navy, and said, "See what the average was during those two years." But why did not he go further back? It was all very well to take two years in which there had been extraordinary expenditure and contrast them with two other years in which there was a reduction of expenditure. But what he pointed out the other night, and what he must advert to now, was that the policy of his right hon. Friend had not been pursued during the administration of the right hon. Gentleman the Member for the City of London. Now, if his policy was right, then the policy of the last two years had been wrong. He (Mr. Hunt) contended that it was the great expenditure which had taken place before, that enabled the boasted reductions to be made, and their opponents had been living on what the Conservatives had provided for them. He showed the other night that the Naval Estimates had been mounting up of late years. Well, an attempt had been made by his hon. Friend the Member for Reading (Mr. Shaw-Lefevre) to show that the increase, with certain exceptions, was to be attributed to the rise in the price of different articles. When he (Mr. Hunt) made his statement ten days ago, he said, no doubt allowance was to be made for the rise in the price of certain articles and for the rise in wages, but that did not account for all the increase. His right hon. Friend (Mr. Childers) had read from a printed paper which had been moved for, a statement by one of the officers of the number of men that would be sufficient to keep up the establishment of ships. That statement was made at the desire of his right hon. Friend, and the officer, no doubt, took his cue

from the head of the Naval Department. That officer knew that when the late Government came in considerable reductions were to be made. No doubt the estimate of the officer was below that which his right hon. Friend thought was proper; but that did not do away with his (Mr. Hunt's) argument that all the officers in the Department knew very well when the Admiralty meant to cut down the Estimates. But if the number of men that his right hon. Friend thought was sufficient for the Dockyards was right, then the right hon. Member for the City of London had been wrong in increasing that number. His right hon. Friend had been practically answered by the right hon. Member for the City of London. Then, as to stores, often when he was in Opposition they used to say to each other "They are living upon our stores." He ventured to point out the other night that the amount of the Estimates had very nearly got back to that at which his right hon. Friend Mr. Corry had left them. He also mentioned, speaking only from memory, that Mr. Corry intended to propose a reduction of £600,000. And what said his right hon. Friend the Member for Pontefract as to that? He said—"Oh! as to that question of £600,000 I found a sketch Estimate at the Admiralty which was made by Mr. Corry after the Government intended to resign." He (Mr. Hunt) hoped his right hon. Friend did not mean to say that Mr. Corry had left it as an illusory Estimate. If his right hon. Friend did mean that, no words that he (Mr. Hunt) could make use of were too severe to apply to such an insinuation. By referring to the report in *Hansard* of the proceedings in this House on March 8, 1869, he found that he had been under the mark in mentioning £600,000, and that the figure as given by Mr. Corry on that date was £658,000. No one could deny that the reduction would have been carried out if Mr. Corry had remained in office. Indeed, this was distinctly admitted on an occasion subsequent to that to which he had referred. Then his right hon. Friend had alluded to his having said the reduction of the Estimates was a political necessity, and had thought he made a great point when he asked whether the Estimates of 1868 were not political Estimates. The right hon. Gentleman knew very well that when

the crisis of 1866 began to tell upon the revenue there was very great difficulty in making the two ends meet; and, therefore, instead of calling the cutting down of the Estimates of 1868 a political necessity it would be more correct to describe it as a financial necessity. The right hon. Gentleman had been a Member of an Administration which came into office just when the tide had begun to turn, and the result had been such as had led some people in the country to think that the increase of revenue had been all owing to the efforts of that Administration. They had found the revenue growing more, and yet had refused to spend on the Navy what it required and what they could afford. In the remarks he had made in introducing the Estimates he had endeavoured to show, and he still maintained, that when the political necessity had passed the late Government began to pay more attention to the state of the Navy. The right hon. Gentleman who had preceded him at the Admiralty (Mr. Goschen) had, to his credit be it said, prevailed upon his Cabinet to spend more money on the Navy. After the speech he had made in introducing the Estimates, hon. Members got up in the House, and many more people wrote in the Press, asking—"What does this mean? Are not the First Lord of the Admiralty and the Chancellor of the Exchequer in accord about these matters?" Of course they were in accord. He had himself been a party to the Budget of the Chancellor of the Exchequer, and his right hon. Friend had been a party to his statement as to the Navy. It was the right hon. Member for the City of London who had talked about spending millions of money on the Navy. No words had fallen from him (Mr. Hunt) that pointed to any such expenditure, and, indeed, he had never contemplated such a thing. The matter had been considered when the financial arrangements for the year were made. Perhaps, however, he was in fault. It might be that his own niggardly ideas had misled the House. Finding that the Estimates had risen about £500,000 in 1873-4, and that for this year they were still further increased by £175,000, he confessed he had, with his exceedingly stingy and perhaps narrow views, felt appalled at the bare possibility of having to add anything to this increase. Perhaps it was that state



of mind which had induced him to speak somewhat seriously of the difficulty. When a responsible Minister had framed Estimates showing what he thought was required for the state of the Navy, and these Estimates had not passed his Cabinet, it would be a serious thing to come in and propose to increase them, even to the extent that had been mentioned by the Chancellor of the Exchequer. It might be a fault on his part to regard it in that light, but so he did regard it. As to the "scare," it had been caused, not by what he had said, but by what had occurred afterwards. No doubt, when hon. Members came to scan the report of his speech, they saw that there was nothing in it calculated to create very great alarm. He inferred this from the remark of the right hon. Member for Pontefract that "it was not what he said, it was his manner that created a sensation throughout the country," it was hard to tell how his manner could have impressed the country, seeing that the country had not been present to look at him. He was sorry to say, indeed, that it had not impressed many Members of the House, for the anticipation of any pleasures to be derived from his oratory had not prevailed against the attractions which usually led Members elsewhere between the hours of half-past 7 and half-past 9, and only a thin House had remained to hear him speak. If not his manner, what had been the cause of the alarm? In his opinion, there had been no cause whatever. He had not contemplated, and he did not now contemplate, any very large addition to the Estimates as he had found them. They had been told a few years ago by the right hon. Member for the University of London (Mr. Lowe) that "heroic efforts" were being made by the right hon. Member for Pontefract and Lord Cardwell to cut down expenditure. Now, he (Mr. Hunt) could assure the House that, for his part, he did not intend to make any heroic efforts to increase the expenditure. He did not think that the circumstances of the times demanded such increase. Europe was in a state of profound peace. At the present moment there was no cloud even as big as a man's hand upon the horizon. He did not think, therefore, that there was any occasion for efforts such as he had referred to. If any emergency should

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arise when heroic efforts were demanded, and he still filled his present place, he hoped he would rise to the occasion. For the present he was not contemplating a heroic administration of the Navy, but a business-like one. He had compared the administration of the Navy to the management of a private estate. If as a remainder man he came into possession of an estate where he had been preceded by a tenant for life, who had taken rather a strong view of his own interest, and found that the property was considerably out of repair, and could not be put right unless a very large sum was expended upon it, he did not think he would propose to do in one year all that had to be done. He would say, "I must set aside a certain sum every year, and get the property right by degrees." That was the way in which he thought the House ought to look at the present matter. He had not stated—as had been imputed to him—that our Navy was a second-class Navy. He had indulged in no epithets at all in regard to it. He had simply stated, as a matter of fact, the condition of our iron-clad fleet. He gave every credit to the right hon. Gentleman (Mr. Goschen) who had preceded him in office, for endeavouring to rectify the mistake that had been made, and to improve the present state of things; and he believed that he had done so. He was aware of the difficulties the right hon. Gentleman had had to contend with—he knew the master he had served under, and he knew that if the right hon. Gentleman had had free play, things would not have been found as they had. But he had not described the state of things as disastrously bad; he had only spoken of it as unsatisfactory. He had called attention to the fact that within the last two years the intention of building fighting ships, as regarded amount of tonnage, had not been carried out, and also that the programme which had been laid before the House had not been carried out. The reason assigned by the right hon. Gentleman for this—the difficulty of getting delivery of iron—was not the only one. There had been an inherent vice in the system pursued. Ships had unexpectedly come in for repair, and men had been taken off the ships which were being built in order to repair them. [Mr. Goschen: How many?] He could not give the figures; but the Estimates

had made no provision for such contingencies, though it must always be known that they would happen, and that to insure the execution of the programme of ship building a certain number of men must be allowed for them. As to the Navies of other countries, his right hon. Friend (Mr. Childers) had an advantage over him, for in his own position he should not like to go into such particulars, and even for his right hon. Friend to institute those comparisons was not calculated to increase good feeling between different countries. Granting that the argument was a very apt one, and that it ought not to be lost sight of in considering the question departmentally, he shrank from discussing it in the House, though he had facts which, to a certain extent, but not entirely, agreed with the statements of his right hon. Friend. The late First Lord (Mr. Goschen), in his speech two years ago, in introducing the Estimates, answered by anticipation the remarks of his right hon. Friend. He pointed out that it was not sufficient for our Navy to be able to contend with other Navies; that manifold duties in various parts of the world had to be performed by it, and that those duties and its ubiquitous character must be considered in fixing its strength. But there was another consideration wholly disregarded by his right hon. Friend—namely, that we were not in a position to keep up a large standing Army; and, therefore, if we desired to hold our proper position amongst the nations of Europe, we must be supreme on the sea. His right hon. Friend, alluding to the reduction in the number of the establishment of unarmoured ships which he deemed necessary in 1869-70, had asked why a further reduction could not be made. Did he think the number of ships and guns at foreign stations had remained unaltered? In the Mediterranean there were 17 ships in 1869-70, and there were now 15; on the North American Coast they had been reduced from 20 to 16; Brazil, the same as now, 5; Pacific, the same as now, 10; at the Cape and West Africa, from 13 to 12; and in the East Indies and China, from 33 to 29; while the Detached Squadron had been reduced from 6 to 5, so that the total force at these stations had been reduced from 104 to 92. A comparison of guns, also, would tell heavily against his right hon. Friend;

but as the calibre had considerably changed, and he could not now give the strength of the guns, he would refrain from making it. The strength of a squadron must depend not only on the enemies likely to be encountered, but on the duties to be discharged; and all his information, including letters from commanders on different stations, went to show that if any error existed it was not on the side of excess, commanders having sometimes a difficulty in finding a ship on one being called for. The system of reliefs for this year, though it might just do if all went well, allowed no margin in case of an important ship coming to an untoward end. His hon. Friend (Mr. Shaw Lefevre), admitting the obsolete character of some of the ships, had said they were ships which everyone knew would after a few years be obsolete; but had the late Administration provided ships to take the place of these "dummies?" On that point he had been silent.

MR. SHAW LEFEVRE had said they were discarded long ago; first, when vessels of the *Audacious* class were built; secondly, when vessels of the *Devastation* class were built, and that now five vessels were being built.

MR. HUNT admitted that five vessels, on which his hon. Friend seemed to rest his defence, were being built to take their places; but with the exception of the *Thunderer*, which was of the same class as the *Devastation*, and could be completed in three months, if necessary, but had been delayed for certain experiments, there was not one that would at the present rate of progress be completed till rather late in 1876. Under such circumstances it was not surprising that he was not altogether satisfied with the state of things he found to exist when he went to the Admiralty. The first time he had occasion to make a speech in returning thanks for the Navy, he said he knew the question of the *Devastation* was one which would wax long and loud, and the result had justified that expression. There were great differences of opinion about the *Devastation*, and he admitted that those differences even prevailed at the Admiralty. During the Easter Recess he embraced the opportunity of consulting a great number of officers about her, and some said she would go anywhere and do everything, whilst

others shook their heads and said they would not like to be in her in a gale. He had, therefore, been justified in saying that without further trial and advice he was not prepared to count her a sea-going vessel in the general sense of the term. After the sad warning there had been, he was not disposed rashly to send her to sea where she would be likely to encounter a severe gale. He wished to proceed tentatively, recognizing her enormous strength for the purpose of defence. No one had argued to-night that she was capable of being a sea-going cruiser in the ordinary sense. If she proved capable of cruising in the Mediterranean or the Channel, and performing duties there, he should be glad; but there appeared to be a divergence of opinion between his right hon. Friend and the late Secretary of the Admiralty, the latter not styling her a cruiser in the sense in which the former did. [Mr. SHAW LEFEVRE: I never said that. I said she was not a cruiser.] The hon. Gentleman had said he could not quite accept the account given by his right hon. Friend. [Mr. SHAW LEFEVRE: I never said so.] If he was wrong he apologized, but that was his impression. Without further trial—which he hoped might increase his confidence in her—he could not reckon her a sea-going ship. As to what he was going to do, the Committee would be prepared to hear that he proposed shortly to submit some Supplementary Estimates, and also that they would not go to a greater extent than that alluded to by the hon. Member opposite (Mr. Samuda), in whose practical and sensible speech he very much agreed. The hon. Member had indicated the limits within which additional expenditure might be incurred, and his own ideas had never gone much beyond what he had mentioned. It was not a case for launching out into any very great expenditure. The policy which should be pursued was that of bringing forward ships so as to fill up vacancies which must be expected through ships falling into decay or becoming obsolete; because there must always be a certain proportion of the fleet under repair, and a certain proportion getting worn out and ceasing to be effective. He did not propose that night to take Votes 6 and 10, but to defer their consideration until he had laid on the Table the Supplementary Estimates, which he should feel

it his duty to present to the Committee. The Committee would then have his complete scheme, his amended programme, before them, and would be able to deal with that whole matter; and he hoped they would allow him to reserve until that occasion the particular proposals which he hoped to submit to them. He should be glad to be permitted to take those Votes now about which there was no difference of opinion.

Mr. GOSCHEN said, he hoped that as the right hon. Gentleman opposite (Mr. Hunt) had so pointedly challenged him to explain certain statements he had made the other night, he would be allowed briefly to state what he thought was the present situation. He believed he could give a clear idea of what had really caused that "scare" for which both he and the right hon. Gentleman opposite were at present held responsible in the opinion of some persons. The right hon. Gentleman opposite had spoken of a "fleet on paper," and of "dummy" ships; and it was the use of that significant language—perhaps never heard before from a First Lord of the Admiralty—which had so challenged the opinion of the House and the country. And the right hon. and gallant Member for Stamford (Sir John Hay) had interpreted the speech of the First Lord as representing that the fleet was in a disgraceful position. [Mr. HUNT denied that he had said it was disgraceful.] No; but he had used words which led others to declare that it followed from his language—that the state of the fleet was disgraceful. The right hon. Gentleman had stated that he had shown what he was about to state to the House to his naval advisers; but were the able naval advisers of the right hon. Gentleman parties to the use of such terms as "dummy" ships and a "fleet on paper?" He was confident they were not. He was glad that the right hon. Gentleman had had an opportunity of retracting those phrases, and he hoped that evening had not been ill spent in showing that the fleet of this country—without looking to all the details of whether a ship was for a few months under repair or not—was composed of the most powerful and the most numerous vessels in the world. And then the right hon. Gentleman spoke of ships being inefficient if they were simply under repair for a time, and that again

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was misleading. [Mr. HUNT observed that his remarks referred to ships as inefficient for the service of the year.] He was glad that the right hon. Gentleman now admitted that the fleet was in a satisfactory condition except in a certain portion of it, which was, as it would always be, under repair. [Mr. HUNT: No.] The right hon. Gentleman said "No." What did he then mean? He had spoken about dummies, inefficient ships, and a fleet on paper, and yet he proposed an addition of only £200,000 to remedy all this. If things had been so bad as they were represented, he should have thought the right hon. Gentleman, having a large surplus upon which to draw, would, to use his own simile, have taken care to put the estate in order before the money passed out of his hands, for the financial resources of the country would not always enable him to propose Supplementary Estimates whenever he thought proper. Again, as to the Navy having been starved, he denied that at any time that had been the fact. He asserted that the late Government, or that House, which had also been responsible with them for the past Estimates—having debated them every Session—would never have been satisfied to starve the Navy. He repudiated the suggestion that he had asked and been refused the money necessary to maintain the fleet in a proper state. [Mr. HUNT dissented.] The right hon. Gentleman might not have said that in so many words; but surely it was implied by his remark that he knew the master under whom the late First Lord of the Admiralty served. Now, he himself knew the master under whom it had been his pride and pleasure to serve, and that master would never have permitted him—even if he had desired it—to allow the fleet to fall below the requisite standard of efficiency. He must also repudiate the attempt to distinguish between his own administration at the Admiralty, and that of his right hon. Friend (Mr. Childers); and if time had permitted, he would have shown that the insinuation was as groundless as many other things which had been stated. The increase in the Store Vote was due to the fact—although hon. Members opposite appeared determined to ignore it—of a rise to the extent of 25 per cent in iron, wages, machinery, contract ships, and coals, making in the Estimates

a difference of £500,000; and therefore it was not fair, and hardly ingenuous, to represent that there had been a change of policy under the late Board of Admiralty. It fell to his lot to have to repair the boilers, which were not out of repair when his right hon. Friend (Mr. Childers) was in office, and an increase in the number of dockyard men last year was due to the boilers having lasted a shorter time than was anticipated. The right hon. Gentleman made two charges against the late Government—first, that their Admiralty programme was not on a sufficiently large scale; and, secondly, that, such as it was, it had not been carried out. He showed, in reply, that several exceptional causes had prevented all the work from being carried out, and had caused an increase in the Estimates which he had himself proposed. He denied most emphatically that he ever admitted the Navy was in an inefficient state. The Committee had heard to-night that the late Government had saved £8,000,000 in their Navy Estimates in five years, and now the first step taken by a Conservative Government was to propose an increase of £200,000. The mention of dummy ships reminded him of a recent cartoon, in which the present First Lord of the Admiralty and himself figured. It represented, as the result of the late Navy Debate, that he and the right hon. Gentleman were brought to the bar of public opinion, while Mr. Bull exclaimed—"Ten millions spent on the Navy, and not a ship to my back!" That cartoon embodied the feeling created out-of-doors by the right hon. Gentleman's statement about a paper fleet. [Cheers.] When hon. Members below the gangway cheered, it seemed that they adhered to that idea; but if we had not the powerful fleet that was represented, let them propose to vote more than the £200,000 which was asked for. It was almost a public scandal that the right hon. Gentleman should be holding this strong and violent language about a paper fleet, and take no steps to provide a remedy. The best vindication of the late Government was that the right hon. Gentleman opposite did not propose to amend the Estimates. It had been said that the late Government, during their administration, had denuded the Dockyards of stores. The right hon. Gentleman would not make



that assertion, and at all events he understood that no Supplementary Estimates were necessary for that purpose. [Mr. HUNT shook his head.] He accepted that gesture as a contradiction of the untrue charges which had been brought against the late Government. He trusted that the right hon. Gentleman would withstand the alarmists who were pressing an increase of expenditure upon him. He also hoped that these charges and counter-charges as to the past were now at an end, and that in future both sides of the House might work together for the good of the service, and for the efficiency as well as for the reputation of the fleet.

ADMIRAL ELLIOT said, he believed he could explain to right hon. Gentlemen opposite the meaning of the phrases "a paper fleet" and "dummy ships." Professional men looked upon ships that could not be sent to sea as paper or dummy ships. The hon. Member for Reading (Mr. Shaw Lefevre) told the House that out of 27 sea-going ships only 14 were fit to go to sea. Ships that could not work their boilers up to their proper power were not fit to go to sea. The mistake had arisen as to what professional men had called dummy ships, but which right hon. Gentlemen on the Opposition bench called efficient ships of war. If the *Devastation* were fit to go all over the world, as the late Controller of the Navy described, how was it she had been kept most of her time in harbour, and never allowed to go out of sight of land? She had never seen a gale of wind, and even in favourable weather was never allowed to go anywhere without another ship in her company.

MR. GOSCHEN said, he differed from the hon. and gallant Admiral as to what was "favourable weather."

ADMIRAL ELLIOT said, he called it "favourable weather" when it was not blowing a gale of wind. She never went to America; she never went even as far as the Mediterranean. If he were responsible for her, he should not be satisfied with rising in the House, and saying she was a safe ship; and he would recommend right hon. Gentlemen opposite to go on board the *Devastation*, and go to sea in her. They would thus prove that they were really sincere in asserting that she was in all respects a sea-going vessel.

*Mr. Goschen*

CAPTAIN PRICE said, he thought the present condition of the Navy was anything but satisfactory. The right hon. Gentleman the Member for the City of London (Mr. Goschen) had boasted that if he had left the Navy inefficient, his Government had also left £5,000,000 or £6,000,000 to set it to rights. But had the right hon. Gentleman ever endeavoured to apply any portion of that surplus to the improvement of the Navy? He disputed the accuracy of the figures given to the Committee by the right hon. Gentleman the Member for Pontefract (Mr. Childers) as to the force of the Navies of France and Russia. The Committee should not take him as entertaining any alarmist view; but it was right to know the fact that our naval force was inferior to the combined Navies of France and Russia, to which it was asserted by the right hon. Gentleman to be superior. It was inferior not only as regarded sea-going and coast defence iron-clads, but also as regarded gun-boats and the number of seamen, Marines, and Reserves, while the French fleet alone was more heavily armed than was the Navy of England. While he utterly deprecated such a thing as a "scare" as unworthy the country and utterly uncalled for, they ought to look facts in the face, and not, at all events, to miscalculate their true position.

MR. E. J. REED said, with regard to the much-abused *Devastation*, they should remember that she carried the most powerful guns of any vessel afloat. The reason she had been under a cloud lately was because some naval officers were unable to appreciate the instrument which the late Government had put into their hands. After experience of her qualities the strongest objections entertained against her sea-going qualities by naval officers vanished, and her captain, Commodore Hewett, left her, placing on record his confidence in her superiority. When the *Devastation* found bad weather, the seas might come over her with impunity, for she had no bulwarks to lock them in. The Secretary to the Admiralty had told the Committee that the British Navy was able to fight the combined Navies of all other Powers. [Mr. EGERTON: What I said, was, "quite willing to fight."] Now, all the other Powers had spent £34,000,000 on their iron-clads, while the expenditure of England was only £12,000,000. If,

under those circumstances, England was capable of doing so much, was it not time to give up complaining that the £12,000,000 had been unwisely expended?

SIR JOHN HAY said, he had no wish to detain the Committee, but he had a practical suggestion to make to his right hon. Friend (Mr. Hunt). He was the judge, with his Colleagues, of the number of ships which it was necessary to maintain, and he had no wish to relieve him of the responsibility. But there could be no doubt, after this debate, that a large fleet was shown on paper which had no existence in fact. If hon. Members would go into the Library and would refer to *The Navy List* published by authority, they would find the whole of the 55 iron-clads which had been under discussion, there printed as efficient ships. By the admission of the late Administration themselves, very many of those ships were not fit for service, or worth repair. Let his right hon. Friend exercise his authority and remove from the active list all those ships which were either obsolete or unfit for repairs. He would then have taken a real step to get rid of his fleet upon paper.

*Vote agreed to.*

(2.) £1,064,264, Victuals and Clothing for Seamen and Marines.

(3.) £178,066, Admiralty Office.

(4.) £163,311, Coast Guard Service, &c.

(5.) £111,170, Scientific Departments.

SIR JOHN HAY said, on former occasions he had opposed the removal of the Royal Naval College from Portsmouth to Greenwich. He still regretted, that the Royal Hospital there was no longer to be appropriated as its Foundress intended—to aged and infirm seamen; he also still held to the opinion that if sufficient buildings could have been found at Portsmouth, it would have been better to have had the tuition of naval officers given there, with all its naval activity and gunnery instruction so conveniently present. But it was due to the right hon. Gentleman to say that he and his Colleagues deserved great credit for the magnificent Naval School they had created at Greenwich. To them and to Admiral Sir Cooper Key, whom they had selected for its head, the country and the profession owed a debt of gratitude; and he willingly bore testimony,

which he was able to do from personal inspection, of the thoroughness of the arrangements which had been made for the scientific teaching of the officers of the Navy.

*Vote agreed to.*

(6.) £72,885, Victualling Yards.

(7.) £63,701, Medical Establishments.

(8.) £18,723, Marine Divisions.

SIR JOHN HAY said, he must call his right hon. Friend's attention to the fact that he had given him no reply to the appeal which he made to him on behalf of the Royal Marines. He should not recapitulate the arguments he used to persuade him to restore the rank of major to the gallant corps, but he trusted he would say something to allay the feeling of dissatisfaction which existed in consequence of that boon being withheld from the Marines, after being granted to the Royal Engineers and Royal Artillery.

MR. HUNT said, he would consider it.

*Vote agreed to.*

(9.) £682,061, New Works, Buildings, &c.

(10.) £70,520, Medical Stores, &c.

(11.) £15,605, Martial Law.

(12.) £113,510, Miscellaneous Services.

(13.) £870,166, Half-Pay, &c.

(14.) £657,090, Military Pensions and Allowances.

(15.) £288,670, Civil Pensions and allowances.

SIR JOHN HAY said, he begged to call attention to the fact that this Vote was largely increased. When the scheme of retirement was proposed—which was so generally disapproved of—by the right hon. Gentleman the Member for Pontefract (Mr. Childers) in 1870, he stated that in the third year, or 1873, the charge would begin to diminish. The result, however was, that in 1872-73 the expenditure was £820,571, being an increase of £120,000 from 1868-69, and that last year it amounted to £862,462, and this year would reach £870,166. It might be supposed that there was a corresponding saving on the half pay and retired pay, but that was not so. The decrease on the half pay was £50,665, and on the reserved pay £2,787, being a total decrease of £53,452; whereas, the increase of the retired pay

was £67,842, or an absolute increase of £14,390. We were the only country in the world which paid persons in this manner, for abstaining from offering themselves for employment. It gave no promotion to the active list, and paid a retired officer in every parish in England for being a centre of discontent to all who knew him.

*Vote agreed to.*

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £175,600, be granted to Her Majesty, to defray the Expense for the Freight of Ships, for the Victualling and for the Conveyance of Troops, on account of the Army Department, which will come in course of payment during the year ending on the 31st day of March 1875."

Resolutions to be reported upon *Monday* next;

Committee also report Progress; to sit again *To-morrow*.

#### EAST INDIA ANNUITY FUNDS BILL.

(*Mr. Raikes, Lord George Hamilton, Mr. William Henry Smith.*)

[BILL 30.] CONSIDERATION.

Bill, as amended, *considered*.

LORD GEORGE HAMILTON moved the addition of the following new clause (Saving of subscribers' claims):—

"Provided, That nothing in this Act contained shall prejudice any claim which may be made by any subscriber to the said Civil Service Annuity Funds, or by the representatives of any such subscriber, upon the funds so transferred; and in case any question shall arise between any such subscriber or the representatives of any deceased subscriber on the one hand, and the Secretary of State for India in Council on the other, as to any liability or alleged liability of the said funds, such question shall be determined by the Court of Appeal appointed by the Judicature Act, 1873, in such manner as may be provided by any general orders, or as the said Court may, on special application, think fit to prescribe."

New Clause (*Lord George Hamilton*) brought up, and read the first time.

MR. BECKETT-DENISON advocated the claims of the subscribers to the Indian Annuity Fund, and wished that the present Government had taken a more liberal view of their right to a just consideration. He hoped the House would reject the clause proposed by the noble Lord, and adopt that which he (*Mr. Beckett-Denison*) intended to move.

*Sir John Hay*

MR. FORSYTH said, he hoped the House would adopt the clause moved by the Government, and reject that of the hon. Member. The parties whose claim the hon. Member advocated had no claims whatever, and such was the opinion of Lord Romilly, Lord Cairns, the late Lord Colonsay, and other noble Lords.

Motion made, and Question proposed, "That the Clause be now read a second time."

Question put.

The House *divided*:—Ayes 121; Noes 39: Majority 82.

MR. BECKETT-DENISON said, after the result of the division he would not move his clause; but he would move to add to the end of the Bill the words "anything in the Statute of Limitations to the contrary notwithstanding."

*Motion agreed to.*

Clause, as amended, *added*.

Bill to be read the third time *To-morrow*.

#### NEW WRITS.—RESOLUTION.

MR. ANDERSON in moving—

"That, where any Election has been declared void, under the Parliamentary Elections Act of 1868, and the Judge has reported that any person has been guilty of bribery and corrupt practices, no Motion for the issuing of a new Writ shall be made without two days' previous notice being given in the Votes,"

said, he need hardly inform the House that this Motion was suggested by what took place two days since in the issuing of a New Writ for Wakefield. Hon. Members had been a good deal surprised on reading the Votes on Tuesday morning, to find that immediately on the Judges' Report being laid before the House, the Government Whip had moved for the Issue of a New Writ, and by this dexterous celerity the House had been precluded from commenting on the Report, and taking any action in regard to the flagrant bribery of which the Judge reported. This led to his (*Mr. Anderson's*) asking a Question in the House as to whether it was in Order to move for a New Writ without giving the House some time for consideration; and the Speaker's reply having been that the proceeding was not out of Order under present Rules, but that under former Rules Notice was required; he

had examined the old Rules, and he found that there was a Resolution of the House on the 5th April, 1848, that where an Election Committee declared a seat void for bribery and treating, the New Writ should not be moved for without Notice. And again, in 1853-4, and up to 1860, seven days' Notice was required in such cases. In 1866, only two days' Notice was required, and it would appear that this very wholesome Rule dropped out of sight when the Parliamentary Elections Act of 1868 took the jurisdiction in Petitions away from Committees of the House and gave it to Election Petition Judges. He thought, however, that it was high time this Rule should be restored, for the want of it had caused the dealing with the Wakefield election to be little better than a farce; for what had been done under it? We punished the innocent and rewarded the guilty. The Judge reported that the candidate was not guilty, and yet he lost his seat. The givers of the bribes had not been found out, and so escaped punishment; and though the Judge named twelve men who had received bribes and who might be punished, yet every one knew that where twelve were found out, there were probably ten times as many guilty, and we rewarded these people by instantly giving them a fresh opportunity of getting another bribe, as would no doubt happen next Monday. It might be that there was not sufficient ground for disfranchising Wakefield altogether, but he was of opinion that a borough, in which so much corruption had been proved to exist, should at least be left for a year or two without a Member, that it might learn the expediency of becoming more virtuous in the future, and he would have moved for some such censure if he had not been precluded by the undue haste with which the Writ had been moved. If the House adopted his present Motion, it would prevent the occurrence of such a surprise again,—he moved it as a Sessional Resolution, but he hoped next year to see it adopted as a Standing Order, so that it could not again drop out of sight, as a Sessional Resolution was apt to do.

*Motion agreed to.*

*Ordered,* That, where any Election has been declared void, under the Parliamentary Elections Act of 1868, and the Judge has reported that any person has been guilty of bribery and corrupt practices, no Motion for the issuing of

a new Writ shall be made without two days' previous notice being given in the Votes.—*(Mr. Anderson.)*

#### EAST INDIA FINANCE.—COMMITTEE.

LORD GEORGE HAMILTON moved that the Committee do consist of 19 Members.

Motion made, and Question proposed, "That the Select Committee on East India Finance do consist of Nineteen Members."—*(Lord George Hamilton.)*

MR. M'CARTHY DOWNING objected to the constitution of the Committee, and complained that there was not a single Irishman upon it. How was it, he wished to know, that Irishmen were excluded from this Committee? There were English and Scotch Members on the Committee, and he was glad of it. He moved that the Committee be constituted of 21 Members, and two Irish Members be appointed.

Amendment proposed, to leave out the word "Nineteen," in order to insert the words "Twenty-one,"—*(Mr. Downing,)*  
—instead thereof.

MR. DISRAELI assured the hon. Gentleman that there was no disinclination on the part of the Government to appoint Irish Members on the Committee, and they would consent to accept one Irish Member named by the hon. Member for Cork, and nominate another Irish Member on their part.

SIR PATRICK O'BRIEN protested against the system invariably carried out by both political parties in that House, Whig and Tory, in the appointment of Select Committees.

Question, "That the word 'Nineteen' stand part of the Question," put, and *negatived.*

Question, "That the words 'Twenty-one' be inserted, instead thereof," put, and *agreed to.*

Main Question, as amended, put, and *agreed to.*

*Ordered,* That the Select Committee on East India Finance do consist of Twenty-one Members:—MR. FAWCETT, MR. CAMPBELL-BANNERMAN, MR. DALRYMPLE, MR. BALFOUR, and MR. DUNBAR added to the Committee.

House adjourned at a quarter after Two o'clock.



## HOUSE OF LORDS,

*Friday, 1st May, 1874.*

MINUTES.]—PUBLIC BILLS—*First Reading*—  
 Courts (Colonial) Jurisdiction \* (48); Game  
 Birds (Ireland) \* (49).  
*Second Reading*—Harbour Dues (Isle of Man) \*  
 (34).  
*Committee—Report*—Bishop of Calcutta (Leave  
 of Absence) \* (35).

## PRIVATE BILLS.

Ordered, That no Private Bill brought from  
 the House of Commons shall be read a second  
 time after *Thursday* the 18th day of June next:

That no Bill authorizing any inclosure of  
 lands under special report of the Inclosure  
 Commissioners for England and Wales, or con-  
 firming any scheme of the Charity Commissioners  
 for England and Wales, shall be read a second  
 time after *Friday* the 19th day of June next:

That no Bill confirming any provisional order  
 shall be read a second time after *Friday* the  
 19th day of June next:

That when a Bill shall have passed this House  
 with amendments these orders shall not apply  
 to any new Bill sent up from the House of  
 Commons which the Chairman of Committees  
 shall report to the House is substantially the  
 same as the Bill so amended.

## THE ENDOWED SCHOOLS COMMISSION.

## QUESTION.

EARL DE LA WARR asked, if Her  
 Majesty's Government have any objection  
 to state what course they intend to adopt  
 with reference to the Endowed Schools  
 Commission? Their Lordships were no  
 doubt aware that the Act of last Session,  
 continuing the powers of the Endowed  
 Schools Commission would expire in  
 August next; but inasmuch as there  
 were many schools which were much  
 concerned in the future action of the  
 Commissioners, he thought it was very  
 desirable that they should know whether  
 it was the intention of Her Majesty's  
 Government to renew the powers of the  
 existing Commission, and, if so, whether  
 their proceedings would be conducted on  
 the same principles as heretofore—  
 that of a total disregard of the inten-  
 tions of the Founders; or on the principles  
 laid down in the Preamble of the Act of  
 1869—namely to promote the greater  
 efficiency of Endowed Schools, and to  
 carry out the main design of the Founders

thereof. He believed that if the En-  
 dowed Schools Commissioners evinced a  
 disposition to act upon the principles  
 laid down in the Preamble of the Act of  
 1869, those interested in Endowed  
 Schools would have very little reason to  
 complain.

THE DUKE OF RICHMOND regretted  
 that he could not give a very satisfac-  
 tory reply to the question of the noble  
 Earl. It was true that the powers of the  
 Commissioners ceased in the month of  
 August with reference to schemes which  
 were opposed, and in December in re-  
 spect to unopposed schemes. That being  
 the case, Her Majesty's Government had  
 thought it their duty to consider the  
 whole question, and it being now under  
 their consideration, it was impossible to  
 give any definite answer to his noble  
 Friend's Question.

LORD LYTTELTON said, the Pre-  
 amble of the Act of 1869 did not describe  
 that Act as one to carry out the designs  
 of the Founders, but as one to put a  
 liberal education within the reach of  
 children of all classes.

EARL FORTESCUE hoped that in  
 considering the question the Govern-  
 ment would bear in mind the unanimous  
 recommendation of an important Com-  
 mission, that there should be local and  
 provincial Boards under the control of  
 the central authority, for the purpose of  
 dealing with Endowed Schools. That  
 recommendation had not hitherto been  
 acted upon; and hence, in his opinion,  
 many of the difficulties by which the  
 Endowed Schools Commission had found  
 itself beset.

EARL DE LA WARR referred to the  
 text of the Preamble of the Act of 1869,  
 to show that his statement as to its prin-  
 ciple was correct.

THE DUKE OF RICHMOND submitted  
 to their Lordships that this was a very  
 irregular proceeding. A noble Earl had  
 put a Question of which he had given  
 Notice, and he, on the part of the Go-  
 vernment, had made the only reply to the  
 Question that he could have made under  
 the circumstances. He stated that the  
 whole subject was being considered by  
 the Government. Was it quite in Order  
 after that to get up a discussion on  
 Endowed Schools?

COURTS (COLONIAL) JURISDICTION BILL.  
[H.L.]

A Bill to regulate the sentences imposed by Colonial Courts where jurisdiction to try is conferred by Imperial Acts—Was *presented* by The Earl of CARMARVON; read 1<sup>a</sup>. (No. 48.)

House adjourned at half past Five o'clock, to Monday next, Eleven o'clock.

## HOUSE OF COMMONS,

*Friday, 1st May, 1874.*

MINUTES.]—NEW MEMBER SWORN—George Harley Kirk, esquire, *for* Louth.

WAYS AND MEANS—*considered in Committee*—Resolution [April 30] *reported*—Consolidated Fund (£13,000,000).

PUBLIC BILLS—*Resolution in Committee*—Ordered—*First Reading*—Chain Cables and Anchors\* [85].

Ordered—*First Reading*—Consolidated Fund (£13,000,000)\*; Board of Trade Arbitrations, Inquiries, &c.\* [86].

*Third Reading*—East India Annuity Funds [80], and *passed*.

## CONTROVERTED ELECTIONS — BOROUGH OF BARNSTAPLE.

MR. SPEAKER informed the House, that he had received from Mr. Justice Mellor, one of the Judges selected for the Trial of Election Petitions, pursuant to the Parliamentary Elections Act, 1868, a Certificate and Report relating to the Election for the Borough of Barnstaple. And the same was read, to the effect that the said Thomas Cave and Samuel Danks Waddy had been duly elected and returned; and that no corrupt practices had been proved to have been committed by or with the knowledge and consent of any Candidate at such Election.

And the said Certificate and Report were ordered to be entered in the Journals of this House.

WAYS AND MEANS—COUNTY POLICE.  
QUESTION.

MR. SALT asked the Secretary of State for the Home Department, Whether, as the contribution from the Consolidated Fund towards the cost of the County Police is about to be doubled, he will propose some improved regulations with respect to the enlistment, the resignation, and the superannuation allowances of the men of that Force?

MR. ASHETON CROSS, in reply, said, it would be necessary, when the

amount was given to the Police out of Imperial Funds, to take care that there should not be an increase of expenditure on the Police Force. The question of improved regulations with respect to the enlistment, the resignation, and the superannuation allowances of the force were at present under the serious consideration of the Government, with a view to increase its efficiency.

## POST OFFICE—POSTAGE TO THE UNITED STATES.—QUESTION.

MR. SEELY asked the Postmaster General, Whether, since the last Session of Parliament, any communication has been made by the United States' Government to Her Majesty's Government on the subject of a reduction of the postage on letters or of the issuing of postal cards at 1d.; and, if so, whether he will lay the Correspondence upon the Table of the House; and, whether there has been any Correspondence between Her Majesty's Government and any Steamship Company with reference to the conveyance of letters or postal cards between this Country and the United States; and, if so, whether he will lay it upon the Table of the House?

LORD JOHN MANNERS, in reply, said, that since last Session, no communication had been made by the United States' Government to Her Majesty's Government on the subject referred to in the first part of the Question. With regard to the second part of the Question, a communication had been addressed to the North German Lloyd's Company, and a reply had been received. If the hon. Member would move for the production of the Correspondence, he would consider whether it ought to be laid on the Table; or if he wished, he might see it at the Post Office.

## RAILWAYS—LAMPS IN RAILWAY CARRIAGES.—QUESTION.

MR. AGG-GARDNER asked the President of the Board of Trade, If any regulations exist to secure the provision of lamps in Railway carriages when traversing long tunnels; and, if not, whether he would cause or sanction the adoption of some measure to protect the public from the inconvenience and danger resulting from the absence of such provision?

**SIR CHARLES ADDERLEY:** Sir, no regulations exist to secure the provision of lamps in railway carriages when traversing long tunnels other than such as are made by the companies themselves. The Board of Trade never impose such regulations on railway companies, unless required specifically to do so, as in one or two rare instances, by Act of Parliament.

**EDUCATION DEPARTMENT—THE ANNUAL REPORT.—QUESTION.**

**MR. KAY-SHUTTLEWORTH** asked the Vice President of the Committee of Council on Education, When the Annual Report of that Department will be ready for presentation and for delivery to Members; on what day he proposes to move the Education Vote in Committee of Supply; and, whether he can give the House any assurance that the Annual Report will be presented at an earlier period in future Sessions, so that it may be in the hands of Members before the debate on the Education Estimates?

**VISCOUNT SANDON**, in reply, said, that the Annual Report of the Department would probably be in the hands of Members before the end of the month. He was afraid he could not say definitely on what day he should be able to move the Education Estimates, but anyhow it would not be sooner than Monday, the 11th instant, but he would give due Notice when it would be done. In future Sessions he hoped the Education Report would be ready by the end of May at the latest, and his hon. Friend was doubtless aware that the Education Estimates were hardly ever brought forward before that period.

**JUDICATURE (IRELAND) BILL.**

**QUESTION.**

**SIR COLMAN O'LOGHLEN** asked Mr. Attorney General for Ireland, When the Judicature Bill (Ireland) will be introduced; whether it will be introduced in this or the other House of Parliament; and, whether the heads of the proposed Bill have been submitted to Her Majesty's Judges in Ireland for their suggestions and approval?

**THE ATTORNEY GENERAL FOR IRELAND (DR. BALL)**, in reply, said, that the measure would soon be introduced in the House of Lords. He had

himself conferred with many of the Judges respecting it, and had received from them many valuable suggestions.

**DOMINION OF CANADA.—QUESTION.**

**MR. GILPIN** (for Sir EDWARD WATKIN) asked Mr. Attorney General, Whether Articles 70 to 74, inclusive, of the "Code Civile" of Lower Canada, respecting the registration—the register being in duplicate, and there being power to those so signing to demand certified extracts from the register—of persons making "profession by solemn and perpetual vows," now form part of the General Law of the Dominion of Canada; or, if not, if they attach solely to the Catholic Province of Quebec?

**THE ATTORNEY GENERAL:** Sir, the articles of the Civil Code of Lower Canada referred to in the Question of the hon. Member provide for the registration, with certain formalities, of the names, ages, and other particulars of all persons making profession, by solemn and perpetual vows, in religious communities in Lower Canada. That Code came into operation in 1866, and though it had the effect of law given to it by the Legislature of the then united Province, it affected Lower Canada alone. The Imperial Act constituting the Dominion of Canada was passed in 1867. Under that Act, the part of the then Province of Canada, which had formerly constituted the Province of Lower Canada, was again formed into a separate Province, under the name of the Province of Quebec. That Act provided a Legislature for the Dominion, and also separate Legislatures for the several constituent Provinces, and specified the matters which were to be the subjects of legislation by such respective Legislatures. The articles of the Civil Code having relation to acts of religious profession do not now form part of the general law of the Dominion of Canada, but affect solely the Province of Quebec.

**REGISTRATION OF FIRMS.**

**QUESTION.**

**MR. RITCHIE** asked the Secretary of State for the Home Department, Whether it is the intention of the Government to bring in any Bill for the Registration of Firms?

**MR. ASSHETON CROSS**, in reply, said, the question of the registration of

firms was one which belonged rather to the Board of Trade than to the Home Department. He had, however, communicated with his right hon. Friend the President of that Board, in reference to the subject, and could state it was not the intention of Her Majesty's Government to bring in a Bill upon the subject.

PARLIAMENT—BUSINESS OF THE HOUSE.—QUESTION.

MR. NEWDEGATE wished to ask the right hon. Gentleman at the head of the Government a Question, of which he had given him private Notice, respecting the course of procedure that night. It appeared from the Votes that Her Majesty's Government proposed to take Supply, the Report of Ways and Means, the third reading of the East India Annuity Funds Bill, and Committee of Ways and Means, before the Order for the Second Reading of the Monastic and Conventual Institutions Bill came on. He had postponed the second reading of the Bill for a fortnight, in order to meet the convenience of Her Majesty's Government, and on looking at the Order Book, he found there was a second reading of a Bill put down for every Wednesday to the 15th of July, with the exception of the 3rd of June. Now, he should be sorry to interfere with the Derby Day, and he should not think it proper, after what occurred on the 2nd of July last, to move the second reading of his Bill on any Wednesday, when there was a special reason for the House being thin. He would therefore ask the right hon. Gentleman whether he intends to proceed with the Government Orders that evening, as he had a perfect right to do; and, whether he would afford any facilities for bringing on the second reading of the Monastic and Conventual Institutions Bill, considering the importance of the subject and the great interest it excited in the country?

MR. DISRAELI: I think, Sir, it is desirable that the opinion of the House should be taken on the Bill introduced by my hon. Friend, and I do not consider it expedient that there should be an indefinite delay in the expression of that opinion. Therefore, as far as Her Majesty's Government are concerned, they will give every facility to my hon. Friend to bring forward the Bill to-night. He has, no doubt, observed that there are

three Amendments to the Motion for going into Committee of Supply, over which we have no control. With regard to Government business, we do not contemplate taking Supply to-night. Then there is the Report of Ways and Means, and the third reading of the East India Annuity Funds Bill, but there is no anticipation that either of these Orders will give rise to a long discussion, and I hope my hon. Friend will not misinterpret my motives, if we wish those Orders of the Day to be read. After that, my hon. Friend will have the House at his disposal, and the hour at which he will be able to introduce his measure will depend on the length of the discussion of the previous Amendments to the Order for going into Committee of Supply, over which Amendments Her Majesty's Government have no control.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

IRISH FISHERIES.—RESOLUTION.

MR. SYNAN, in rising to call attention to the neglect of the Irish Fisheries, especially in contrast with the encouragement and support that has been given to the Scotch ones; and to move—

"That the decay of the Irish Sea Coast Fisheries imperatively calls for the immediate attention of Her Majesty's Government, and demands the application of the remedies recommended by the Reports of Royal Commissions and of Select Committees, and that this House pledges itself to support any well-considered measure that may be introduced on the subject and conformeth to such recommendations,"

said, that the first Session of a new Parliament, and the advent to power, as well as to place, of a Conservative Government, was a fitting time to bring before the House the question of the Irish sea-coast fisheries. The political cry of the Conservative party had always been the development of the industrial resources of Ireland, instead of political or social reforms. The present Motion would test the honesty of that cry, and prove to the country whether it was a real policy or only an election and party programme got up to suit the exigency of the moment. This was not the first time the subject had been brought before



the House, and there was no Irishman, however ignorant, that did not feel an interest in the question. Anyone who looked at the map of Ireland would see how admirably the country was adapted for sea-coast fisheries. She commanded a coast of over 2,000 miles, three times the length of the coast of Holland, whose sea-coast fisheries produced £3,000,000 a-year, and three times the extent of the coast of Scotland, whose sea-coast fisheries produced nearly £2,000,000 a-year; and yet with all her natural advantages, the sea-coast fisheries of Ireland only yielded £300,000 a-year. The Irish Parliament had done much to encourage Irish fisheries by various Acts, especially by the 25 *Geo. III.*, c. 35. Lord Sheffield, speaking of the operation of that Act, and of the branding system under it, stated that no fewer than 21,057 barrels of herrings had been exported, which realized higher prices than those of any other country. And although the bounty under that Act was less than the Scotch bounty, the Scotch fishermen preferred fishing in the Irish waters. It was remarkable, however, that now, after the lapse of nearly a century, Ireland, from being an exporter, had become an importer of fish, and was obliged to draw on her agricultural resources to pay for the fish to feed her own population. The Act of 1785, and other Acts, expired with the Irish Parliament, as they were only of a temporary character; and from 1800 to 1819 the Imperial Parliament did nothing whatever for the Irish sea-coast fisheries, notwithstanding the efforts of Irish Members to have something done. A Bill, introduced in 1803, was opposed by Yarmouth and other English fishing stations, and was rejected on the second reading, owing to a spirit of commercial jealousy. In 1838, when the late Lord Carlisle, one of the best Chief Secretaries Ireland ever possessed, introduced a Bill for carrying out the recommendations of the Commission of 1836, a deputation, headed by the Duke of Sutherland, influenced by the same spirit of commercial jealousy, waited upon him, and the Bill never received a second reading. He did not refer to this matter for any invidious purpose, but to defend his countrymen from a taunt with which they had been lately insulted—that they invented a new grievance—namely, that they could not catch the fish in their

own seas. When the industry of a nation or people was struck down by commercial jealousy, it was not by years but by centuries that its recovery could be measured. In 1819, an Act—the 59 *Geo. III.*, c. 109—was passed for protecting the Irish sea-coast fisheries, and granting a bounty smaller, indeed, than that which had been given to Scotland by the Act of 1808, but Ireland was grateful for the boon. The Act was most beneficial in its operation. There was a general concurrence of opinion showing that the best effects, both moral and practical, followed. The Commissioners under the Act of 1819 applied the money they received rather in loans than in bounties. Apprehending a change in the law in 1829, they gave an account of the increase of the fisheries from 1819 to 1829, stating that the vessels had doubled and the men and boys had nearly doubled, and that from 1827 to 1829, 125 new boats had been built, and more than £14,000, which had been lent on the personal security of the Irish fishermen, had been nearly all repaid before the 5th of April, 1829. A late Chancellor of the Exchequer (Mr. Lowe) had been asked to adopt the system of the Commissioners of 1819; but he declined to lend money, as he said, on personal security, and the Liberal Government preferred to save money and hand it over to their successors on the Treasury Bench. In spite of the warning that the repeal of the Act of 1819 would be the ruin of the sea-coast fisheries, the Act was repealed in 1830, and the sea-coast fisheries were handed over to the directors of the Inland Navigation of Ireland. He did not see any connection between inland navigation and the sea-coast fisheries, and therefore the change was one which, in the opinion of Englishmen, might rather have been looked for from an Irish Government or Parliament. But it was the Act of an Imperial Parliament, and must have been dictated by either a spirit of mockery, or by a fixed determination to give no encouragement to the Irish fisheries. The directors did nothing for the fishing industry, and therefore in 1832 it was handed over to the Board of Public Works, which confined their attention to the Acts relating to piers and harbours. Indeed, it might be said that the former had been employed to dig the grave, and the latter to erect a

cemetery. The consequence was, that the fisheries continued to decay, and might be said to be moribund when they were transferred to the present Inspectors in 1869. In 1871, the Inspectors reported that much inconvenience resulted from the insufficiency of harbours and the inability of poor localities to meet the conditions under which aid was afforded. Would the House believe that from 1830 to 1842 the sum expended amounted to only £20,000, and half of that was absorbed in expenses? Why, in 1838 the sum laid out was £138, and in 1839 it was only £61 14s. 2d.—he wished to be accurate! On the other hand, from 1819 to 1830, the sum laid out was £243,000, not unprofitably, because a large portion—namely, the portion expended in loans—was paid back. That afforded a good contrast between the old and the new system, and accounted for the decay of the Irish fisheries. In 1868, when the question was before the House, the claim was opposed on free-trade principles; but that objection was well met by the late Mr. John Stuart Mill, who argued that it was not inconsistent with political economy to help a backward interest with a loan. In order to remedy the present state of things, they did not ask for bounties nor for grants, but for reproductive loans. Why should they not be applied to that, as to every other industry? In 1779 the Irish fisheries furnished 30,000 men for the British Navy; but if an appeal were made to them now they would not furnish 40 men. He had referred to Commissions—there was one in 1836 and another in 1866. There was a Select Committee in 1849, and another in 1867. There was also a Royal Commission in 1866. The Select Committee of 1867 reported that the fisheries of Ireland were decayed, and that the great cause of their decay and ruin was the famine of 1847 and 1848, which decimated the Irish population, and particularly the fishing population of the western coast, who from the occasional tempestuous character of the seas were also small agriculturists. That Report had been in the hands of the Government from 1867 till the present time, but they had done nothing to remedy the present state of things. The Select Committee of 1836, speaking of the Scotch system, mentioned that “the small grants given to Scotland had produced most beneficial results, but

in Scotland,” they went on to say, “there were public officers under the Fishery Board to make the distribution.” Now, there were similar officers in Ireland who might be employed under the Inspectors—he meant the officers of the Coast Guards—who were perfectly competent to carry out that duty; if not, a Board of Fishery might be created in Ireland as in Scotland. In 1846, when there was a famine on the West Coast of Scotland, the grants given had saved the fisheries from ruin; and yet in the face of that fact, no similar grant was given to the Irish fishermen in the famine of 1847, or since. Why was not the Report of 1836 carried out? Because commercial jealousy prevented it. Why was not the Report of 1867 carried out? Because a mean economy had prevented it. He hoped that there was an end of both. The Reports of the Inspectors, commencing in 1869 and ending in 1872, were clear and explicit, pointing out what the evil was and what the remedy should be. The Report of the Inspectors for 1869 stated that during the preceding ten years there had been a very large decrease in the number of boats and men, and said—

“Without loans for the purchase and repair of boats and gear were advanced to the fishermen, no great improvement could be expected,” and “if much longer time were allowed to elapse before their suggestions were carried out, the fishing industry would nearly expire on one-half of the coast.”

Inspectors' Report of 1870 was of similar purport. The last Report was that of 1872, which showed that at that time the number of boats and men, as compared with 1846, showed a decrease from over 20,000 boats in 1846, to a little over 7,000 in 1872, and from 116,000 men and boys to 40,000, or the boats to one-third, and the men and boys to nearly a third. Even from 1869 to 1872 the decrease in boats had been nearly 2,000. What stronger case could be made out? There could not be more conclusive proofs than these Reports afforded of the existing unsatisfactory state of things and the necessity for applying a remedy to it. He trusted that the present Government would be found more disposed than its predecessor had been to travel in the desired direction. If he were to judge from what had transpired with reference to the question of the Government purchasing the Irish rail-

ways, he should not be very hopeful; but he recollected at the same time that the Government had evinced a desire to assimilate the laws of the two countries, and that made him more sanguine. What he contended for was that the Scotch system of grants should be extended to Ireland, and that Ireland should have its Board as Scotland had. The Report of the Scotch Board of Fisheries proved, on the evidence of the Commission of 1866, the benefit of the system enjoyed by Scotland in regard to the development of its fisheries. Those of Ireland had no such stimulus. Ireland, the best fitted of all countries in the world for being an exporter of fish, so far from exporting, actually imported from Scotland, Norway, and Newfoundland to the extent of £100,000 annually. From the years 1808 to 1858 Scotland received a Parliamentary grant of £15,000 a-year, in addition to a grant of £500 a-year given by the Scotch Board to save the distressed fishermen of the Hebrides. The question, therefore, involved the principle whether one part of the Empire was to be treated better than another part. Now, he for one, did not grudge Scotland what she had got, and would resist its diminution by so much as one farthing. But every argument in favour of Scotland spoke with ten-fold power in favour of Ireland. He had never yet heard that Ireland was so strong and wealthy that she could allow exceptional laws to be passed at the expense of her industries. If protection were wanted anywhere, it was for the industries springing up in the poorer country. They might as well ask a cripple to compete with an athlete, as ask Ireland, after so long a series of grants and protective measures in aid of the Scotch fisheries, to compete with that country. In a few years, however, the Irish fishermen might be formidable rivals to those of Scotland, if the loans for which he now asked were granted, and if Parliament would supply the capital desired. On the western portion of Ireland, the fishermen could not fish all the year round, and during the winter they became cottiers and small farmers. In such a famine as that of 1847 these persons required the same aid which was given by an annual grant to the distressed fishermen of the Hebrides. The present Government had dangled before

the Irish people the policy of developing the resources of the Irish people, and the fisheries had, therefore, a special claim upon their attention. The difficulty was as to the quarter from which the money was to come, and he trusted that the present Chancellor of the Exchequer would not adopt the policy of his predecessor in refusing to make loans to these fishermen on personal security. If he did, all the evil he would wish him would be the fate of his predecessor the Member for the London University. He had now merely sketched the outline of his case, and he left it to his hon. and learned Friend the Member for Limerick (Mr. Butt), who had requested him to bring the subject forward, and to other Irish Members, to fill up the canvas. He could see no possible answer to his Motion except to assent to it, and he hoped the Government would be able to give their sanction to it without hesitation. He hoped that a Conservative Government was not going to falsify their promises, or—

“To keep the word of promise to the ear,  
And break it to the hope.”

The great difficulty that might stand in the way of their doing anything, if not the only one, would probably be as to the quarter whence the money should come. He did not think that any real difficulty of the kind need exist, if the subject were gone into with a desire of bringing about a practical solution. But if there was not an earnest desire on the part of the Government to do justice to Ireland on this subject, he hoped his hon. Friends would apply to this great question the aid of their ability and their union, and help to give to it that prominence to which it was entitled. The Government had a great responsibility resting upon them in the matter, and he felt it his duty to tell them so plainly. They must rise to the height of the question, and confer a great boon on a large and deserving population. He did not know to what extent they might be disposed to give support and encouragement to these views. It might be that they were inclined to imitate the example set them by their predecessors, and, withholding money from important commercial and industrial interests, hoard up large sums for their successors to dispose of. But it required no prophet to tell them what would be the result of such a blind

policy. The fate of their predecessors was a sufficient warning to them. He believed that what was required might be done by means of purely Irish resources, but if not the Imperial revenue must be resorted to. And as long as the Imperial Parliament claimed the exclusive right to legislate for Ireland, the Imperial revenue was liable to contribute to the development of Irish industry. In conclusion, he begged to move the Resolution of which he had given Notice.

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the decay of the Irish Sea Coast Fisheries imperatively calls for the immediate attention of Her Majesty's Government, and demands the application of the remedies recommended by the Reports of Royal Commissions and of Select Committees, and that this House pledges itself to support any well-considered measure that may be introduced on the subject, and conformeth to such recommendations,"—(*Mr. Synan,*)

—instead thereof.

**MR. M'LAREN:** My hon. Friend the Member for Limerick County (*Mr. Synan*) in the Preamble of his Resolution, has contrasted the encouragement given to the Scotch fisheries, as compared with the support given to Irish fisheries; and the disadvantage under which he supposes Ireland to labour, has formed a large part of his interesting speech. My hon. Friend divided his speech into two parts—the present state of things as regards the fisheries, and their by-past condition. Perhaps it may be most convenient to take things as they are, first, and then say a word about the million and a-quarter to which he has referred. My hon. Friend says Scotland gets £15,000 a-year from this House for the encouragement of its fisheries. I shall show from the Estimates of the present year that he has fallen into a great error in that matter. No such sum is granted to Scotland, but very much larger sums are granted to Ireland. I wish to show that distinctly, in order to negative the facts and allegations of my hon. Friend. What then, first of all, is the sum granted to Scotland? In the Civil Service Estimates of the present year you will find that the sum proposed to be granted is nominally £12,475—last year it was a few pounds less. But I must remind the House of the fact

that during the herring fishing season in Scotland one of Her Majesty's cutters is sent down to act as the police of the sea. In some of the Scotch fishing stations as many as 1,000 or 1,200 boats will be assembled at one time. These are not all Scotch boats, but include boats from France, Holland, England, Ireland, and elsewhere; and in such circumstances it is as necessary that there should be on the coast a Government vessel to keep the peace of the sea as it is to send down a strong body of police from London or Dublin when any mischief is anticipated in the provinces. My hon. Friend imagines that no part of the grant for Scotland is devoted to that purpose, whereas a sum of £2,300 is paid annually for the services of this cutter. That reduces the grant to £10,175. But that, again, includes the grant in aid of piers or quays, amounting to £3,000. I deduct that sum for the purpose of fairly comparing the Irish and Scotch grants; for I want to show what the Scotch fisheries, as fisheries, get, apart altogether from the question of fishery piers and fishery harbours. Deducting further the £3,000 for piers or quays, that reduces the grant to £7,175. Many years ago it was proposed to abolish herring branding altogether. I think myself it is an erroneous system, but I admit that many men of intelligence in the trade differ from me, and I do not attach any great importance to my own opinion. The branding system did not yield much revenue at first, but it has latterly been better looked after, and curers now make more use of it than they did before; and the fishermen are bound to pay the Government a small sum for the brand to each barrel. If hon. Members will look at the Civil Service Estimates, they will find in a note to this Item that the branding fees this year are estimated at £7,000. I have already reduced the grant to £7,175, and if the Government gets £7,000 from branding fees, there remains only £175 as the total amount of the grant to Scotland on account of her fisheries; and, last year, there was an actual profit of £100 to the Treasury, instead of a grant of £15,000. Now, with regard to harbours. There has been in the Estimates for many years a grant of £3,000; but for the last 10 years that grant has been applied exclusively for one harbour in Fifeshire. The hon.



Member who represents that Burgh (Mr. Ellice) has been exceedingly fortunate in his guardianship, for not one shilling has been spent on any other harbour or pier. My hon. Friend (Mr. Synan) seems to think that Scotland gets a large sum from the Imperial Treasury, and that Ireland gets nothing. I will endeavour to enlighten him on the subject. I will show from the Estimates for the present year that Ireland gets £6,300 for fishery piers alone; the total promised grants amount to £14,043. The instalments of grants for harbours in Ireland, not designated fishery piers, to be paid this year, are as follows:—Kingstown, £10,450; Donaghadee, £350; Dunmore, £990; and Howth, £550—making altogether, £12,340, as the instalments voted during the current year, as against £3,000 to Scotland. My hon. Friend, again, complains that there is no Fishery Board in Ireland as in Scotland. I can show him that there is a more expensive system in Ireland in the shape of Fishery Inspectors, for whom the annual grant is £2,374. Taking these three items together—fishery piers, £6,300; harbours, £12,340; and Inspectors of Fisheries, £2,374—the total voted for Ireland during the current year is £21,014 against £175 for fisheries, and £3,000 for harbours and piers in Scotland. Hon. Members will, therefore, see that my hon. Friend is under a great misapprehension when he says that Scotland is obtaining any advantage. I will now show that Ireland has a more expensive Fishery Board than Scotland. There are in Ireland three Inspectors receiving £600 each, a Secretary with £225, and clerks, messengers, writers, and housekeepers, receiving among them £359. Besides, there is a grant for chambers amounting to £296. The total of these items is £2,680. The only Fishery Inspectors in Scotland are the Salmon Fishery Inspectors, who are paid at the rate of £3 per day for the time they are employed, but the country is put to no expense for residence. The sum of £720 is the total of that item in the Estimates. On the Edinburgh Board of Fisheries there are a number of gentlemen, all unpaid, chosen without any knowledge of fisheries—Admirals, Generals, Judges, Baronets, and lawyers, and all sorts of people except men acquainted with fisheries. The Secretary gets £524—and

*Mr. M'Laren*

taking into account the salaries of clerks and Inspectors, and including the amounts paid to the lesser officials, down to salaries of £120 a-year, the total is £1,470—against an expenditure for Irish Inspectors of nearly double that amount. My hon. Friend (Mr. Synan) has stated that including a long period of years, Scotland has got £1,250,000 of Government money. I am willing to assume, for argument's sake, that it is so; but how did it arise? Parliament, in its wisdom, decided that a certain class of industries were to be encouraged, including both fisheries and manufactures. To encourage them, a system of bounties was established, and every person exporting herrings was to receive a certain sum per barrel. My hon. Friend knows that it was just as much open to Irishmen to export herrings as it was to Scotchmen, and if they did export herrings they would receive the same grants. If they did not do so, it was their own fault, and not the fault of the Government. My hon. Friend seems to think the fisheries thrive better in Scotland than in Ireland; but I would remind him that during the time bounties were given for herrings, bounties were also given for linens; and that while Belfast and the North of Ireland generally received a large share of these bounties, Glasgow, Ayrshire, and the West of Scotland did not receive a shilling, because linen manufactures had not taken root there; but this did not prove that Ireland was unduly fostered, or Scotland injured by the bounties on linens. It is a remarkable fact that the herring fishing of Scotland—and, indeed, the fisheries of all kinds—thrive best not where the Celtic race chiefly abounds on the west coast, but on the east coast where the Norwegian and Danish invaders settled. These are the races who carry on the fisheries. Beginning at the Shetland and Orkney Islands, and coming down by Wick, Peterhead, and Aberdeen, and the Fife Coast, you will find colonies of these northern races; and even in the vicinity of the City of Edinburgh they exist, and keep up a separate and distinctive dress, and inter-marry only with each other. These, I say, are the men who make the Scotch fisheries thrive. If you go to the western coast, where the Celtic race is predominant, you will find that the fisheries do not thrive to anything like the same

extent. My hon. Friend (Mr. Synan) referred to the famine in the Hebrides, and to the assistance rendered by the Government of £500 a-year in that emergency; but if he will look to the Report on that great famine, he will find that Scotland itself subscribed the large proportion of what was required to relieve the necessities of the starving people. My hon. Friend asks that Ireland should enjoy the same benefit respecting its fisheries as Scotland. I have shown that Scotland gets £175 this year, and I am quite willing that Ireland should get the same benefit from the Imperial Exchequer. To revert again for a moment to the branding system. If my hon. Friend will look at the Parliamentary Papers he will find that the Dutch Government—and Dutchmen are the best herring curers in the world—has written to the Foreign Office proposing to abolish branding altogether. The Foreign Office has agreed to abolish the system; and the Treasury also approved of its being done away with. If you except the parties interested in the trade, my own opinion is, that the great bulk of the people of Scotland would like to see the branding abolished; but there is no need to agitate and stir the question at present, because it causes no burden on the Exchequer. Why the Treasury did not bring in a Bill to abolish the system at the time these Papers were printed, I am quite unable to comprehend. In saying what I have done, I wish it to be distinctly understood that I am not hostile to the Irish fisheries or Irish interests. I am glad to see symptoms of their revival, and I shall rejoice if not only fisheries, but every branch of Irish industry, shall become as prosperous as those of Scotland.

MR. COLLINS said, his hon. Friend who had introduced the subject would not blame him (Mr. Collins) if he declined to follow him into some of the details of his speech; but, as representing a part of Ireland where fisheries could be most advantageously aided and developed, he wished to say, in reply to the speech of the hon. Member for Edinburgh (Mr. M'Laren), that though he did not wish to draw any invidious distinctions between the Scotch and the Irish fisheries, he must remind the hon. Member that there was no basis of comparison by which the condition of the one could be compared with that of the

other; for the Scotch Fisheries had been fostered by many successive Governments, and did not stand in need of assistance now in the same way as the Irish fisheries did. He had the honour to represent the town of Kinsale, which was becoming an important fishing station, and he could not better show to the House the great extent and value of the Irish fisheries than by placing before it a few statistics respecting the present condition of the mackerel fishery connected with the port of Kinsale. This fishery was conducted during the months of March, April, May, and a part of June. There were at present over 350 vessels engaged in it, with crews of seven and eight men in each. Every vessel cost, with fishing gear, about £550; so that property to the value of about £200,000 was embarked in this industry. It might be well to mention that about one half of these were Manx vessels, the remainder coming from various English and Irish ports, except about 45 to 50, which were owned in Kinsale and belonged to that port. He found that in some weeks the sales of mackerel produced £15,000, and assuming these to have been sold at 10s. per 100 fish, it gave 3,000,000 fish, weighing about 6,500,000 pounds of good food weekly, to be distributed throughout the markets of England and Ireland, where the eventual sales realized nearly £75,000 per week. As the fishing extended over 12 or 14 weeks, the average results were therefore, as he had stated, of considerable importance. He instanced Kinsale to show how important the Irish fisheries might become under development, for there might be many other stations in Ireland which might rival Kinsale, if encouragement were afforded by Government to bring them into activity. He believed that an equally important pilchard fishery might be developed at Kinsale, to follow immediately after the mackerel fishery, for he was informed that large shoals of pilchards reached the south coasts of Ireland in the months of May and June, where they were observed by the fishermen two or three weeks before they reached the coast of Cornwall, and it was known that they furnished to Cornish fishermen an abundant harvest of wealth and prosperity. They did not ask from the Government anything unreasonable; they did not propose to put their hands into the pockets of the State; they only

asked that the Government of the country should exercise that same ordinary care in fostering the Irish fisheries which men usually devoted to their own business matters. He hoped the attention of the Chief Secretary to the Lord Lieutenant would be specially directed to the subject, for the effect of encouragement to this great industry would not only be advantageous to individuals in the localities, but also to the nation. He would take the liberty of suggesting to the right hon. Baronet the Chief Secretary for Ireland what appeared to him the simple and yet inexpensive means of aiding the fisheries of Ireland. He would recommend a moderate expenditure in the construction of fishery piers at important stations like Kinsale, as he believed that they, with similar judicious assistance, would serve greatly to extend the trade and protect the property of those engaged in it. He would further propose that a number of practical fishery instructors should be appointed—say 16, at a salary of £80 to £100 a-year: this would give four instructors for each of the four provinces of Ireland—to instruct, not alone with respect to the curing, but also as to the most effective modes of catching fish. He also thought that the judicious application of loans given to poor districts through the medium of local authorities, such as municipal bodies or Boards of Guardians—or where they did not exist, through the local magistracy—great encouragement might be given to individual enterprise, and thus the inexhaustible sources of wealth surrounding the Irish shores might be developed, so as to bring the blessings of abundance and prosperity to the poor struggling population of our coasts. He appealed to the Chief Secretary for Ireland earnestly, on behalf of his poorer fellow countrymen, to grant the aid which they sought for. The subject was deserving of his consideration, and he left it in his hands with the full hope that so important a means of serving Ireland would not be neglected by him.

SIR JOSEPH M'KENNA thought the hon. Member for Edinburgh (Mr. M'Laren) had not stated his case fairly. When the question of branding in Scotland was under consideration, the people of that country opposed its abolition, and volunteered to pay about £7,000 a-year for the continuance of the use of the Govern-

ment brand. The payment was, therefore, in return for actual contract services rendered by the officers of the Crown to the traders. The amount received by Scotland from the State was about £7,000 a-year by way of subsidy, and the hon. Member for Edinburgh considered the one sum as a set off against the other; whereas, the fact was, the Scotch fisheries having been nurtured by the State to such an extent, the people engaged in the trade found the branding of great service to them, and did not object to £7,000 being paid for it, nor would Ireland object under like circumstances to pay quite as much.

MR. SULLIVAN submitted that this was no question of competition between Scotland and Ireland, and he deprecated any such issue being raised. He regretted that the hon. Member for Edinburgh (Mr. M'Laren) should have put forward an argument which, if it amounted to anything at all, amounted to grudging Ireland the concession claimed by this Motion. The fact was, that the Scotch fisheries had been wafted to prosperity by bounties, aids, and grants from the Imperial Exchequer, while Ireland was absolutely repressed and kept down, and now for the Scotch to say—"Let there be no more bounties, but free trade," amounted to this—"We have got the start; we are half way to the goal; let Ireland overtake us if she can." Suppose two yachts were to race from Dover to Cape Clear, and that one of them had been towed by a steam-tug to the Land's End, while the other was left beating against head winds in the Channel, would it be a fair start then? Would it be exactly fair of the first to object to any assistance being given the less-favoured craft, and say—"Let us both compete just as we are?" From the Report of a Government official, it appeared that for more than 280 years Parliament, at the instance of English fishery owners, had interposed to prevent the exercise of this industry in Ireland; and that at one period the Scotch fishermen, being in want, received advances on their own note, which they had not been called upon to pay, while no loans were made to the Irish fishermen during the same period. He did not believe that Scotland had had a pound too much; but in a naval Empire, in island Kingdoms like ours, a wise Government would carefully con-

serve sea-coast fisheries whenever they could be encouraged. The hon. Member for Edinburgh had, in framing his estimates of the expenditure in Scotland and Ireland, included the expenses in connection with the Imperial harbour at Kingstown. Why, the hon. Member might just as well, in estimating the money spent on English fisheries, count the millions which had been expended at Holyhead. When Irish Members on that side of the House advocated Home Rule, they were told by Irish Members opposite that they ought to attend to the material prosperity of their country, and when they advocated the material prosperity of Ireland hon. Members opposite remained silent. They were not asking alms for Ireland, but merely that justice should be done.

MR. CONOLLY denied the justice of the remark made by the hon. Gentleman who had just sat down. He thought it could not truly be said that the Conservative party in Ireland had been neglectful either of the national or political interests of that country. As regarded the political interests of Ireland, he had put in the forefront of his address to his constituents that, whatever happened, he would never give any support to that most empty of all nostrums—"Home Rule." In respect to the material interests of Ireland, he found himself unable the other evening to vote with the hon. Member for Limerick County and his Friends, when they wanted a pull at the Imperial Exchequer; but as the same obstacles did not exist in this case as in that of the railways, and as he had for a number of years thought that a very good case had been made out for the grant now advocated by the hon. Member, he should be happy to give him his support. He had considerable acquaintance with the coasts of Ireland, and he might inform the House that the fisheries in the Bay of Donegal had been carried on at certain times with no little success, owing to the enormous supply of fish; but that success, he was sorry to say, had been of a very shifting character. No less than six different attempts had been made on the part of different companies, and although they partially succeeded, yet such was the tempestuous character of that coast that none of those companies were able to carry on their business with real profit for more than four or five years. There

had been sometimes enormous takes of herring, but those seasons of profit were "like angel visits, few and far between." Under these circumstances, although there might be well-grounded claims coming from other parts of the coast, he should not feel himself justified in placing his county in the position of asking for a special grant, but he believed that there were parts of the coast of Ireland where the fisheries might be supported. He agreed with the hon. Member for Limerick County (Mr. Sullivan) that comparisons between the fisheries of Scotland and Ireland were not necessary, and he felt sure that if there had been a great industry neglected in Ireland, his right hon. Friend would be glad to do all he could to restore it; and if the hon. Member for Limerick County would move for a Committee of Inquiry into the subject, an irresistible case would be made out, and he had no doubt the Conservative party in Ireland and the right hon. Gentleman the Chief Secretary for Ireland would give him every assistance in remedying whatever grievance might exist.

MR. R. W. DUFF said, he thought the hon. Member for Edinburgh (Mr. M'Laren) had quite disposed of the fallacy that Scotland got £15,000 a year for the encouragement of the fisheries. His hon. Friend had conclusively shown that, although the sum of £12,475 was set down in the Estimates of the present year for Scotch fisheries, there was a note appended, stating that there was a sum of £7,000 received on account of the herring brand. What was actually voted yearly for Scotch piers and harbours was £3,000. This he considered a very inadequate sum. Some years ago a Royal Commission was appointed to inquire into the subject, and it recommended that the grant should be increased to £6,000. In 1865 he had the honour of introducing a Bill, the object of which was to carry out their recommendations. He was not successful, and he did not remember receiving much support from his hon. Friends from Ireland. As to the herring brand, he might say a word or two. His constituents were very much interested in the herring trade, and he had taken a deal of trouble to ascertain their opinion in regard to the brand. He found there was a great deal of variance as to its value, and a great deal to be said on



both sides. There was another matter. Since 1859 the very considerable sum of £63,442 had been paid into the Treasury for Scotch fisheries, being the amount of 4*d.* a barrel for branding, and therefore the Scotch fisheries were the source of considerable revenue to the country. Now, he would make an offer to his Irish Friends. He thought this money which was raised by the industry of the fishermen ought to go back to Scotland, and be devoted to the improvement of harbours, and the providing of new ones, with a view to improving the trade. His opinion was that it should be administered by the Scotch Fishery Board, and his offer was this—that if the Irish Members would assist in getting such an arrangement for Scotland, he would do his best to assist them to get a similar arrangement for Ireland. As to the bounty, it was almost absurd to say that the success of the Scotch fisheries was due to the miserable and inadequate sum of £3,000 a-year which they got for piers and harbours. What it was really due to was the energy and enterprise with which the fisheries were worked. The other day he was astonished to find that on the part of the coast between Wick and Aberdeen the enormous sum of £70,000 was made in about three months. The fishing would be very much improved if they had proper harbours, and considering the small sum Scotland got back from the Imperial Exchequer, he thought a good case could be made out for devoting the £3,000 to this purpose. When they succeeded in getting a Fishery Board for Ireland, he would be glad to assist them to get a similar return of the money that came from Ireland.

MR. MORRIS hoped the suggestion thrown out by the hon. Member for Donegal (Mr. Conolly), that the question should be again referred to a Select Committee, would not be adopted. They had already had so many inquiries and Reports upon it that the subject was worn threadbare, and the time had now come for the Government to take action to assist in developing that important branch of the resources of Ireland; for it was not fitting that the Inspectors of Fisheries in that country should be driven, as they had been, to appeal for public subscriptions in order to do what ought to be done by the State. He understood, however, that those fisher-

men who had been assisted from the result of that appeal, although poor men, had faithfully fulfilled their obligation; and he thought that of itself ought to induce the Government to do something for the further development of the Irish fisheries. The hon. Member for Edinburgh (Mr. M'Laren) had used arguments against the grant asked for, weaker than any he (Mr. Morris) had ever heard, and had referred to the grant of £10,000 for Kingstown harbour, which was not a fishing harbour at all; but the hon. Gentleman appeared to forget that not long ago a Bill was passed to relieve the harbour of Leith from a debt of over £200,000, and make it a present of that money. The hon. Member could not point to any such present to Ireland, and therefore he might allow Ireland to have a sum for harbour improvements. As to the repayments under the Scotch branding system, he believed that if the fisheries of Ireland were assisted in a way similar to those of Scotland, he had no doubt that the Exchequer would soon be recouped the expenditure. The drainage of the Shannon and other measures had lately been urged on the attention of the Chief Secretary, but the fisheries were better entitled than any other object to assistance, and if the right hon. Gentleman desired time to consider the matter, the Motion might be postponed.

MR. LYON PLAYFAIR said, he did not rise, as a Scotch Member, to draw any comparison between the grants to Scotland and those to Ireland for their fisheries. The remarks he intended to make would be in the capacity of having had the honour of being Chairman of a Royal Commission which examined into the herring fisheries of the British coast. In the inquiries of that Commission one thing of all others became most clear, and that was that the fisheries of the British coasts prospered more the less the Government did for them, and the less legislative restrictions prevailed. As the result of their inquiries, the Commission recommended the repeal of all the Acts of Parliament, which gave a sort of parental protection to the fishermen of the different coasts for close time, the regulation of the mesh of nets, the modes of using them as drift nets or seines, and other supposed methods of protecting the fisheries; and therefore, if the demands of the Irish Members on the

present occasion were for a return to such unreasonable modes of protection, he should strongly resist the Motion of his hon. Friend the Member for Limerick County (Mr. Synan). But there had been no such unreasonable request made that night. The suggestions made by the hon. Member for Kinsale (Mr. E. Collins) were of the most moderate character. He suggested that there should be improvements made in piers in exposed situations in Ireland, so as to enable the fishermen to develop the resources of the seas surrounding that Island. Now, aid of that description had been given to Scotland, and had produced great advantages; and therefore, if the demands were restricted to material aid beyond the resources of individual fishermen, and were not extended to loans of money—which he feared would have a tendency to diminish self-reliance, and to encourage unwise expectations from the Government—he should be quite inclined to accept the latter part of the Motion of his hon. Friend, and say that he, at all events, as one Member of the House, would be ready to entertain any well considered measure on the subject. He thought they owed much to Ireland for their past interference with her industries. Not only her fishing industry, but many other industries, had been interfered with by direct legislative injurious action on the part of the House; and where they could develop an industry in a moderate manner, he thought it would be well for the interests of the country that they should give judicious aid.

SIR MICHAEL HICKS - BEACH said, he thought there could be no doubt as to the importance to Ireland, and, indeed, to the United Kingdom, of the question which the hon. Member for Limerick County (Mr. Synan) had brought before the House, and he was surprised that it should have been allowed to sleep for so many years. If any country had a mine of wealth under its soil, Ireland had one under its waters; and he had seen it stated that there were places, such as Galway Bay, where an equal amount of land covered with growing crops would not produce a value equal to that which might be raised from the sea. It appeared, however, that the fishermen of Ireland had not been able to make use of the advantages which nature had thus bestowed upon their

country, for they had been informed that a decrease had taken place in the fishing population of Ireland which was out of all proportion to that of the general population, and also that for years past there had been a large quantity of fish imported into Ireland for food. During the nine years subsequent to the famine, £100,000 worth of fish were imported annually from Scotland alone, probably by vessels sailing through shoals of the very same kind of fish with which they were laden. There was no doubt that some of the fisheries in Ireland were very profitable; but they were mainly carried on by persons not Irish. In one case, that of the mackerel fishery of Kinsale, which had been referred to as producing £75,000 a week, during the three or four months over which it extended; the boats were chiefly manned by Englishmen, Manx, and Frenchmen, and the steamers which conveyed the fish to England, or elsewhere, had been supplied by the enterprise of English or other merchants. That extraordinary state of things showed the necessity of looking deeply into the reason why Irishmen thus yielded to the natives of other countries. Instead of a claim for assistance having been founded upon the prosperity of this fishery, it might rather be argued from it that Irish fisheries, if properly worked, could prosper without State assistance. But with that view, the erection of fishery piers and the despatch of instructors by the Fishery Commissioners to instruct men in the curing of pilchards, in order to bring that fishery into an equally prosperous state, were useful suggestions which would be carefully considered by the Government, and he should be as glad as the hon. Member for Kinsale (Mr. Collins), if it appeared that anything more could be done in this direction. A great deal of the speech of the hon. Member for Limerick County was occupied with a comparison of the grants which had been made to Ireland and to Scotland for fishery purposes, and he (Sir Michael Hicks - Beach) confessed he was sorry that question had been alluded to. It might be that the encouragement given to Scotland in past years had been greater than that which had been accorded to Ireland; but certainly, as regarded the present year, the figures quoted by the hon. Member for Edinburgh (Mr. M'Laren)

were very near the truth. In all these things it was difficult to show what sums had been given for fishery purposes proper, and what for purposes not strictly connected with fisheries. From the best information he had been able to obtain, however, he believed that Scotland, in the Estimates for the present year, received a sum of £5,475 for fishery purposes, while Ireland, including the cost of the Fishery Commissioners and £6,300 for piers and harbours, received £8,674. If, then, they were to go into a comparison, it would appear that Ireland had nothing at present to complain of as to her position in reference to Scotland. But it was said that Scotch fisheries had been encouraged by a system of bounties, and thereby brought to a great state of prosperity, and that the same should be done for Ireland. He thought, however, that those hon. Members who took the trouble to go into the history of the question would see that of all modes of encouragement, the system of bounties was the most wasteful and the worst. If the Scotch had earned more bounties, it was because they caught more fish. He did not think, however, that the House would be induced to resume the system of bounties either for Ireland or for Scotland. It would be open to the greatest jobbery, as would appear from the action of the Irish Parliament, which was very free in bounties to every industry which found an advocate. He wished to speak with the utmost respect of that august Assembly; but he must say he was astonished when he learnt that it not only granted a bounty to encourage the exportation of fish, but he believed on some pressure exerted by a merchant interested in the foreign trade, it also gave bounties for its importation. The result of that extraordinary procedure, which was continued after the Union, was that in the 11 years ending 1812, £21,000 was voted for the importation of fish, and £4,000 for its exportation. Again, the system of bounties superintended by the Commission of 1819 depended on the tonnage of the vessels, and, consequently, vessels of very unsuitable size were employed, which were withdrawn as soon as the bounties were suspended. Bounties were given for the number of barrels of fish cured, and the result was, that enterprising gentlemen from Ireland took a vessel with a

small crew, sailed to Scotland or elsewhere, brought back fish cured, and claimed the bounty for it. As an illustration of the wastefulness of the system, he might mention that during the time bounties were in force, from the year 1819 to the year 1829, a sum of £163,000 was spent by the State, the cost of distributing which amounted to no less than £68,000. For those reasons, he must repeat, he did not think the hon. Member for Limerick County (Mr. Synan), or the House, would wish that system of bounties to be reverted to. There was, however, another scheme for which much more could be said, and that was the system of small loans. He found that the Commissioners of Irish Fisheries (established in 1819) obtained a sum of £5,000 from a Committee called the London Tavern Committee, to which they added a further amount, and lent it in small sums towards purchasing and repairing boats, and for otherwise assisting fishermen. In that way, £21,000 was lent by them for the repair of old boats, and £4,000 towards the purchase of new boats. Of these sums £9,900 was repaid, and sums amounting to £4,300 on overdue securities and £10,900 not yet due were outstanding in 1830, when the Commission was abolished. A famine prevailed in various parts of Ireland after that time; great difficulty was experienced in obtaining repayment of the loans, and a considerable sum was lost. Under all the circumstances, however, he was bound to say he did not think the sum lost an unreasonable one, and there could be no doubt that the loans had effected a very great deal of good. The Commissioners of 1836 strongly urged that the system should be revived; and, in 1838, Lord Morpeth introduced a Bill, one clause of which provided for the granting of loans for the erection of curing-houses, fishermen's houses, and for the purchase and repairing of boats. The Bill, however, was not proceeded with. In 1867 a Select Committee was moved for, and presided over by Mr. Blake, now Inspector of Fisheries in Ireland, and they recommended the granting of loans for like purposes, and also for the construction and improvement of harbours; and in the following year Mr. Blake brought in a Bill, which obtained a second reading in the House of Commons, containing a

*Sir Michael Hicks-Beach*

clause for those special purposes. It was right to say, that that clause was objected to by no less an authority than the late Lord Mayo, whose experience and knowledge of such matters they must all admit. He thought, however, that loans of the nature referred to might now be made—if they were carefully guarded—without any loss to the persons making them. There existed in Ireland a society called the Society for Bettering the Condition of the Poor. They possessed a capital of £15,000, which was originally subscribed in 1822, at a time of great distress in Ireland. The society had been engaged in making loans to fishermen to enable them to buy and repair boats, and to purchase nets and tackle, and their managing secretary had informed the Committee of 1867 that the loans so made had been carefully and punctually repaid. The House would agree with him that the great difficulty in the way of the State advancing money for such matters was the want of proper security. If local aid were forthcoming—if, for instance, persons in the locality would advance one portion of the loan and the State find the residue, local supervision would be secured, and the difficulty might be got over, or it could be met by a system of local guarantees. He did not think it, by any means, impossible to devise a plan of this nature, but it would be well to proceed tentatively in the matter. An experiment might, he thought, be made in this way—There was, as the hon. Member for Limerick County was aware, a fund called the Irish Reproductive Loan Fund. It arose from a subscription at the Mansion House in London, at a time of great dearth in Ireland, and of that fund a balance of £55,000 remained, which was vested in trustees, and was lent by them for charitable purposes, and for objects of public utility in Ireland. Their management continued for some years, until in 1838 they got into difficulties on the occasion of the recurrence of a famine in Ireland. What remained of the fund was then transferred to the Treasury by Act of Parliament, to be devoted “to charitable objects and purposes of public utility in Ireland, not otherwise provided for by local rates or assessments.” Originally, as he had stated, the fund was called a Reproductive Loan Fund, but he could not conceive a more curious misnomer at the

present time. It was not a loan fund, for no portion of it was now lent, and it was not reproductive, as from time to time free grants were made from it, on the recommendation of the Irish Government, for some purpose of public utility, but the amounts granted in each year were generally less than the interest on the fund. The balance now amounted to about £38,000, and grants had been made for several purposes which at any rate were not charitable—such as £7,984 for the improvement of harbours, £5,140 for halls and literary institutions, and £400 towards the formation of a public park. These purposes, however laudable, were hardly such as the persons who originally subscribed the money in 1822 had in their minds, and funds might be obtained from other and more cognate sources for such objects. He thought, therefore, it might be well if the Legislature could be induced to transfer this fund from the Treasury, either to the Irish Government, or to some Board to be formed in Ireland, with power to them to make advances from it for the purposes so frequently alluded to in the course of the debate. He would, however, at once say that the fund was applicable by Act of Parliament to only 10 counties, and he should not feel disposed to extend the scope of its operation; but among these counties were comprised nearly all of those in which loans could usefully be made for fishery purposes. The Government could not, at the present moment, hold out any hope of a Treasury grant; but if the experience of two or three years showed that the loans were punctually repaid, and had been usefully applied, a strong case would have been made out for applying to the Treasury for an extension of the aid so given. If he should ascertain that such a course would meet the views of the Irish people, he would, after careful consideration, bring in a Bill upon the subject, which he hoped would become law during the present Session. If, however, he found that it was likely to be opposed by those on whose behalf it would be promoted, he would not press forward a measure which he did not see his way to being able to pass. With reference to the Motion before the House, it had been suggested by the right hon. Gentleman opposite (Mr. Lyon Playfair) that the House should adopt the



first part of it, which was to the effect that the House should pledge itself to support any well-considered measure that might be introduced on the subject. He confessed that he hoped the House would do nothing of the kind, because in adopting those words, either the House would be pledging itself to what was not before it, or else it would be passing a Resolution of a vague and unsatisfactory nature. He trusted that after the statement he had felt it to be his duty to make, and after the promise he had given that this whole question should have his careful and early attention, the hon. Member for Limerick County would withdraw his Motion, and, resting satisfied with the result of the discussion, would not press the matter to a division. He confessed that in dealing with this question he had had some difficulty, in consequence of his not having been previously acquainted with its details, but he could assure the hon. Member that he had considered the matter with an earnest wish to administer this fund which belonged solely to Ireland, in the most beneficial manner for the Irish people.

MR. BUTT said, he was ready to admit that the right hon. Baronet would find considerable difficulty in dealing with this Reproductive Loan Fund, inasmuch as its application was not only limited to 10 counties, but it was divided into 10 parts, each of which formed a trust for a particular county. The whole sum available for general purposes out of this fund was only £5,000, and, no doubt, there would be strong objections on the part of some of the counties interested, to the fund being applied to other than its proper purpose. Moreover, last week he had put a Notice on the Paper, of his intention to move for the appointment of a Select Committee to determine how the fund should be applied. It had been his intention to propose to place upon the Committee a Member for each of the 10 counties interested, so that they might have arrived at some agreement as to the mode in which the available sum should be made use of. He denied that the Resolution before the House was a vague and unsatisfactory one. The first part of it stated that the decay of the Irish fisheries imperatively called for the immediate attention of Her Majesty's Government, and after what had been stated by the

hon. Member for Limerick County (Mr. Synan), no one could doubt that the question was a very pressing one, because it was admitted that the Irish fisheries were decaying at an enormously rapid rate. The next part of the Resolution stated, that the matter demanded the application of the remedies recommended by the Reports of the Royal Commissioners and of Select Committees. The remedies so referred to were the granting of loans to the fishermen and a better distribution of the fund as regarded the construction of piers and harbours. He did not think anything could be worse than the application of the money voted for piers and harbours in Ireland. Like all other things in Ireland, the management of those works was entrusted, not to the local authorities, but, to some official at Dublin Castle, and he knew of large sums having been wasted in building useless piers. Until 1869 the deep-sea fisheries of Ireland were absolutely without control, and it was only in that year that they were placed under the control of three Fishery Inspectors, whose chief duties were to look after the salmon fisheries. These Inspectors, immediately after their appointment, drew attention to the fearful decline of the Irish deep-sea fisheries, and recommended that loans should be made to the fishermen to enable them to purchase boats and gear, or otherwise that the fishing industry would die out on half the coast. A similar recommendation was made by the Royal Commission in 1836, and it had been approved on several occasions since. He regretted the right hon. Gentleman the Chief Secretary for Ireland was not more explicit in his answer to the Motion of his hon. Friend the Member for the County of Limerick. The Irish fisheries were at that moment perishing, and if the Government advanced £20,000, as loans, to the Irish fishermen they would be saved. It was no use for the right hon. Gentleman to say that he would give the subject his best consideration. What he (Mr. Butt) wanted was a direct and explicit answer to the question—Would he, or would he not, advance that amount? If he did not do so, he would recommend his hon. Friend to divide the House on his Resolution. In his opinion, it was a reproach to the Government of this country that the remnant of a sum subscribed, so far back as 1822, by the generosity of

Englishmen, should continue unproductive in the hands of the Treasury, and that none of it should be spent, except upon such terms as might have exceptional interest. He should be glad to see the Irish Board placed upon the same footing as the Scotch Board, and able to send out instructors. The Irish Inspectors had asked for a gunboat for the purpose of preventing, among other things, the French fishermen from throwing out their nets at a time when by so doing they frightened away the shoals of fish. A Board with the necessary powers would be able to enforce useful and not obsolete regulations, and help the Irish fishery in a thousand different ways. In conclusion, he would say that what they desired was, that the Government should sanction—not the constant expenditure of public money—but the loan, once for all, say, of £20,000. Such a loan was not contrary to the principles of political economy, for its wisdom had been acknowledged by Mr. Mill, and he regretted that the reply of the right hon. Baronet had been so unsatisfactory, and under the circumstances should recommend the hon. Member to press his Motion to a division.

MR. SHARMAN CRAWFORD trusted that the Government would be able to see their way to expend some money upon the repair of the harbour of Ardglass which lay on the coast of Antrim. A great deal had already been effected by private enterprise, and if properly completed, the result would be not merely a considerable benefit to the fishery along the neighbouring coast, but the place would also become valuable as a harbour of refuge on what was at certain seasons of the year a very dangerous coast.

THE MARQUESS OF HARTINGTON said, he merely desired, in answer to what had fallen from the hon. and learned Gentleman the Member for Limerick (Mr. Butt), to suggest to the hon. Member who had brought this subject forward (Mr. Synan), whether he would really be pursuing a judicious course in pressing the Motion to a division. The right hon. Gentleman the Chief Secretary to the Lord Lieutenant had that evening given the proposal as much encouragement as hon. Members could have expected. The right hon. Gentleman, considering the vast number of subjects which he had had to consider,

had shown himself wonderfully well acquainted with the state of this question, and the position of that most complicated matter, the Reproductive Loan Fund. His right hon. Friend, unless he had conciliated the Treasury, might possibly, however, find more difficulty in dealing with that fund than he at present anticipated. He had himself had an eye to that fund for similar purposes, but the right hon. Baronet might, perhaps, find, as he had found, that the Treasury might not be over anxious to meet his views. In that case, he feared there would be great difficulty in procuring the money required. Although he did not think it would be productive of any great results, he should be glad to see the experiment of small loans tried to a small extent. In doing so, however, they must not lose sight of the fact, that wherever the fishery could be made productive, there was no dearth of private enterprise to promote it; but he believed that on the greater part of the Irish coast fishing on anything but a small scale could not be made profitable. Commission after Commission and Committee after Committee had reported in favour of such a proposal, and there was no doubt that it had received every kind of official encouragement. He believed, moreover, that until it was done the people of Ireland would remain firmly convinced that their interests were being sacrificed to favouritism for Scotland and the parsimony of England. But it was hardly fair to press the right hon. Baronet too far so soon after his accession to office, and when it was utterly impossible for him to tell what he could do till he had the sanction of the Treasury.

MR. YEAMAN said, he looked upon that as a most important question which hon. Members had not taken so broad a view of as it deserved. With regard to the pecuniary assistance given to Scotland to promote her industry in her fisheries, it ceased 45 years ago, and her fisheries were now in such a prosperous condition that she did not require any further bounty from the State. Considering the present position of fisheries in Ireland, he thought it was incumbent on the Government of the country that these fisheries should be cultivated to such an extent as would enable them to compete successfully with the Scotch fisheries, for it should be a matter for

most serious consideration on the part of the Government to afford proper protection to the mines of wealth to be found in the seas which surrounded the British Islands. He trusted, therefore, that the House would consent to give the same support to the fisheries of Ireland that was given to those of Scotland. He made these remarks, not only on account of the importance of the question, but because he had himself some considerable experience connected with the Scotch fisheries. These were his views with regard to the Motion now before the House. He hoped hon. Members would support it, and he trusted that that branch of Irish industry would, in time to come, arrive at as prosperous a condition as the fisheries of Scotland now occupied.

MR. BRUEN said, the hon. Member who moved the Amendment put his case so modestly and forcibly that he, for one, should support it. In his opinion £20,000 was a very small and moderate sum to ask for the encouragement of Irish fisheries under the circumstances. He therefore trusted that the Chief Secretary would see his way to grant the aid which was asked of the Government. He believed there was a balance now remaining of the money voted for the improvement of harbours in Ireland, which, in his opinion, ought to be devoted to the purpose for which it was granted. He quite agreed with those who insisted on the great advantage which the brand gave to the sale of fish in foreign countries, and he hoped that, while it would not be taken away from Scotland, its benefits would be extended to Ireland.

MR. M'CARTHY DOWNING, as representing one of the counties which would be seriously affected by the proposition, expressed his surprise and indignation at the lame and impotent suggestion of the Chief Secretary for Ireland, that the surplus Famine Fund, raised in 1822, and now devoted to the improvement of agriculture in Ireland, should be applied to the improvement of the deep-sea fisheries of that country. He should oppose it in every possible way. The Government had at their disposal £311,000, and surely a sum, by way of a loan, of £20,000 would not be much as an advance in aid of the industry of the people in the Irish fisheries.

*Mr. Yeaman*

MR. W. SHAW said, there was no doubt the subject under consideration was a difficult one to deal with practically. He agreed with the hon. Member for Cork County (Mr. M'Carthy Downing) in protesting against the alienation of the surplus Famine Fund to the fostering of the deep-sea fisheries. The Reproductive Loan Fund had hitherto been allocated to most useful purposes, and purposes for which they could not raise funds by local taxation. They had for some years a grant from this fund for flax instructors, who were very useful, and also in several country towns in aid of private subscriptions for the erection of public halls, which but for this fund could not have been erected. As one who had endeavoured to do something for the improvement of the Irish fisheries, he wished to be allowed to say that without the brand, Irish could not compete with Scotch herrings. He knew of Scotch herrings being brought over and sold in Dublin in preference to Irish herrings. He agreed with those who held that small loans to the fishermen would be useful. The right hon. Gentleman the Member for the London University (Mr. Lowe) had sneered in Glasgow at the idea of Irish priests becoming security for the repayment of these loans. Now he happened to belong to a body which was in the habit of lending small sums to farmers, and in many cases they were guided by the advice and opinion of those at whom the right hon. Gentleman had sneered, and in scarcely a single instance had they been misled. If a fund of £20,000 was left in the hands of Commissioners in Dublin, it could be lent with perfect safety and with the greatest benefit to the fisheries, and he would cordially support such a course of proceeding. Something also should be done in the way of an extension of the railway system to remedy the difficulties of transport which stood in the way of bringing to market the fish taken on the south-west and west coasts of Ireland.

MR. VERNER trusted hon. Members opposite would give the Chief Secretary credit for the anxiety which he had shown to grant all reasonable requests, though, unfortunately, having risen early in the debate, he had made a proposal which had not found acceptance with Irish Members. He had some hope that when the right hon. Baronet should

consider the subject further, he would take a more favourable view of the case. For these reasons he urged the hon. Member for Limerick County (Mr. Synan) not to press the Motion to a division, which could do no good; but to be content with the discussion which had taken place, and which would, no doubt, have a good effect in advancing the desire of the hon. Member.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 93; Noes 95: Majority 2.

Words *added*.

Main Question, as amended, put, and *agreed to*.

*Resolved*, That the decay of the Irish Sea Coast Fisheries imperatively calls for the immediate attention of Her Majesty's Government, and demands the application of the remedies recommended by the Reports of Royal Commissions and of Select Committees, and that this House pledges itself to support any well-considered measure that may be introduced on the subject, and conformeth to such recommendations."

#### AYES.

Alexander, Colonel	Gore, J. R. O.
Anderson, G.	Grantham, W.
Arkwright, R.	Greene, E.
Baggallay, Sir R.	Gregory, G. B.
Balfour, A. J.	Grieve, J. J.
Ball, rt. hon. J. T.	Halsey, T. F.
Baring, T. C.	Hamilton, Lord G.
Beach, rt. hn. Sir M. H.	Hamilton, hon. R. B.
Beach, W. W. B.	Hamond, C. F.
Bourke, hon. R.	Hick, J.
Callender, W. R.	Holt, J. M.
Cameron, D.	Hopwood, C. H.
Cave, rt. hon. S.	Hubbard, E.
Cawley, C. E.	Jackson, H. M.
Cecil, Lord E. H. B. G.	Johnstone, H.
Charley, W. T.	Kennaway, Sir J. H.
Corry, J. P.	Knowles, T.
Cross, rt. hon. R. A.	Leigh, Lt.-Col. E.
Dalkeith, Earl of	Lennox, Lord H. G.
Disraeli, rt. hon. B.	Lloyd, S.
Edmonstone, Admiral	Lloyd, T. E.
Sir W.	Lopes, H. C.
Elliot, Admiral	M'Laren, D.
Elphinstone, Sir J. D. H.	Mahon, Viscount
Ewing, A. O.	Makins, Colonel
Feilden, H. M.	Manners, rt. hn. Lord J.
Fielden, J.	Mellor, T. W.
Forester, rt. hon. Gen.	Mills, A.
Forster, rt. hon. W. E.	Monckton, F.
Forsyth, W.	Montgomerie, R.
Galway, Viscount	Montgomery, Sir G. G.
Gardner, R. Richard-	Nevill, C. W.
son-	Newdegate, C. N.
Garnier, J. C.	Phipps, P.
Goldney, G.	Plunkett, hon. R.
Gordon, W.	Powell, W.

Price, Captain  
Puleston, J. H.  
Ritchie, C. T.  
Sandon, Viscount  
Sclater-Booth, rt. hn. G.  
Scott, M. D.  
Shute, General  
Sidebottom, T. H.  
Somerset, Lord H. R. C.  
Stanley, hon. F.  
Starkey, L. R.  
Starkie, J. P. C.  
Stewart, M. J.  
Storer, G.

Taylor, rt. hn. Colonel  
Thompson, T. C.  
Trevelyan, G. O.  
Turner, C.  
Walpole, rt. hon. S.  
Walter, J.  
Wheelhouse, W. S. J.  
Whitelaw, A.  
Williams, Sir F. M.

#### TELLERS.

Dyke, W. H.  
Winn, R.

#### NOES.

Balfour, Sir G.	Mackintosh, C. F.
Barclay, J. W.	M'Arthur, A.
Bell, I. L.	M'Carthy, J. G.
Biggar, J. G.	M'Kenna, Sir J. N.
Blennerhassett, R. P.	M'Lagan, P.
Brady, J.	Martin, J.
Briggs, W. E.	Martin, P.
Brooks, rt. hon. M.	Meldon, C. H.
Browne, G. E.	Moore, A.
Bruen, H.	Morris, G.
Bryan, G. L.	Mundella, A. J.
Burt, T.	Nolan, Captain
Butt, I.	O'Brien, Sir P.
Chadwick, D.	O'Byrne, W. R.
Clarke, J. C.	O'Callaghan, hon. W.
Cole, H. T.	O'Clery, K.
Collins, E.	O'Conor, D. M.
Conolly, T.	O'Conor Don, The
Conyngham, Lord F.	O'Donnell, F. H.
Corbett, J.	O'Donoghue, The
Cowan, J.	O'Gorman, P.
Crawford, J. S.	O'Keeffe, J.
Crossley, J.	O'Reilly, M.
Davies, D.	O'Shaughnessy, R.
Dickson, T. A.	O'Sullivan, W. H.
Digby, K. T.	Power, R.
Dodds, J.	Redmond, W. A.
Duff, R. W.	Reid, R.
Earp, T.	Ronayne, J. P.
Ennis, N.	Shaw, W.
Errington, G.	Sheil, E.
Fay, C. J.	Simon, Mr. Serjeant
Ferguson, R.	Smyth, P. J.
French, hon. C.	Smyth, R.
Gourley, E. T.	Stacpoole, W.
Gray, Sir J.	Sullivan, A. M.
Hamilton, I. T.	Swanston, A.
Hamilton, Marquess of	Taylor, D.
Havelock, Sir H.	Tighe, T.
Henry, M.	Verner, E. W.
Hill, T. R.	Whalley, G. H.
Ingram, W. J.	White, hon. Colonel C.
Jenkins, D. J.	Whitwell, J.
Kavanagh, A. MacM.	Whitworth, W.
Kirk, G. H.	Yeaman, J.
Lewis, C. E.	
Lewis, O.	
Lloyd, M.	
Lubbock, Sir J.	
Macdonald, A.	

#### TELLERS.

Downing, M'C.  
Synan, E. J.



## WAYS AND MEANS—REPORT.

Resolution [April 30] *reported*;

"That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1875, the sum of £13,000,000 be granted, out of the Consolidated Fund of the United Kingdom."

Motion made, and Question proposed, "That the said Resolution be now read a second time."

## EXTRA SUBJECTS IN ELEMENTARY SCHOOLS.—RESOLUTION.

SIR JOHN LUBBOCK said, that though he was precluded by the division which had just occurred from submitting to the House the Resolution of which he had given Notice, he trusted he might be permitted to call its attention to the subject. That Notice was as follows:—

"That, in the opinion of this House, it is desirable to modify the Code of Regulations issued by the Committee of the Privy Council in such a manner as to give more encouragement to the teaching of History, Geography, Elementary Social Economy, and the other so-called extra subjects, in the Elementary Schools of the Country,"

and he would at once commence by disclaiming the idea that abstruse scientific problems should be taught in elementary schools. When his Resolution was brought forward on a previous occasion, it was said that difficult questions of science were entirely beyond the children in elementary schools, and critics seemed to suppose that he was bringing forward some individual crotchet. So far, however, from that being the case, there was a very remarkable unanimity of opinion among those best qualified to judge that some such step as this was eminently desirable, and it was even necessary if we wished our schools to perform their work thoroughly and efficiently. The name "extra subjects" was, indeed, very unfortunate. As Mr. Campbell, Her Majesty's Inspector for the Metropolitan division, truly observed, it was entirely a misnomer; "geography, grammar, and history ought never to have been placed without the usual programme of elementary schools." Indeed, a school for children in which neither geography nor history was taught was scarcely worthy of the name, and under that condition there were many schoolrooms which were not schools. He might, perhaps, be reminded that under the New Code, 3s. a-head was offered to all chil-

dren presented in Standards IV. to VI., but it was easy to show that that offer was to a great extent, if not entirely, illusory. No school could receive above 15s. a-head, and a good school could easily earn that amount by reading, writing, and arithmetic. Six shillings a-head was given for attendance, and 4s. each, making 12s. more, for reading writing, and arithmetic; so that if three-quarters of the children passed in reading, writing, and arithmetic, the whole grant would have been earned. But a good master had no difficulty in passing three-quarters of his children, and he (Sir John Lubbock) would be very sorry to see the examination made so difficult that more than a quarter of the children must fail. Such a state of things would be discouraging and unfair to both masters and pupils. On this question—namely, as regarded the amount of encouragement offered by the New Code to the higher subjects, he would refer the House, both to the experience of the Inspectors and to the Reports of the Royal Commission on Scientific Instruction. In the year 1870, Her Majesty was graciously pleased to appoint a Royal Commission to inquire into the state of Scientific Instruction in the country, and that Commission, after carefully considering the question, and hearing much evidence, reported that although it was quite true that the grants of 3s. per head were promised for extra subjects, yet, owing to the other conditions of the Code, these grants were, to a considerable extent, illusory; and they stated that usually in schools the maximum amount of 15s. per head could be attained on reading, writing, and arithmetic without going into the extra subjects. Moreover, the Inspectors themselves pointed out in more than one place that the extra subjects, while most desirable, nay, necessary, in themselves, did not pay in a pecuniary point of view. Thus, after regretting that these subjects were often omitted, Mr. Fussell added that—

"As far as the pecuniary interests of the managers were concerned, that might, under existing regulations, be quite right, but the loss to the children was irreparable."

In 1868, on the Motion of the hon. Member for Banbury (Mr. Samuelson), the House appointed a Committee—

"To inquire into the provisions for giving instruction in theoretical and applied science to the industrial classes, with special reference to what was done in foreign schools."

That Committee took a great deal of valuable and interesting evidence, and eventually reported to the House that—

“Many witnesses had expressed the opinion that the Revised Code had diminished the efficiency of elementary education; that every witness who was acquainted with foreign schools considered that the rapid progress which was being made in Germany, Switzerland, and Belgium, was due in great measure to the elementary instruction which was acquired by the working population in the elementary schools,”

and they added the pregnant passage—

“That nothing more is required, and that nothing less will suffice, in order that we may retain the position which we now hold in the van of all industrial nations.”

Under those circumstances, the Committee unanimously recommended—

“That elementary instruction in drawing, in physical geography, and in the phenomena of nature should be given in elementary schools.”

In the year 1870 the Council of the British Association, the largest scientific body in the country, unanimously adopted a resolution similar to that which he had the honour to propose, and appointed a deputation to urge the importance of the question on the Education Department. A similar course had also been taken by the Association for the promotion of Social Science. But what had been the action of the school boards? They were elected by the ratepayers, whose views they, no doubt, fairly represented, and he believed in the most important cases they had followed the example of the London School Board, which had resolved that the essential subjects in all schools should include English history, geography, the rudiments of science, and elementary social economy. Again, what was the opinion of those hon. Members of the House who had paid most attention to the subject of education? There was scarcely another proposition to which so general an assent would be given. When this Motion was brought in two years ago, a circular asking hon. Members to support it was signed and circulated by the chairmen of our two great educational societies, the hon. Members for Hants and for Birmingham, by every Member of the London School Board who had a seat in the House, and by other Members of great weight and authority—such as the right hon. and learned Recorder of London (Mr. Russell Gurney), the hon. Member for the University of Edinburgh (Dr. Lyon Playfair), the hon. Member for Liver-

pool (Mr. Rathbone), the hon. Member for Sheffield (Mr. Mundella), and others. The Motion, however, was not pressed to a division, because his right hon. Friend the Member for Bradford (Mr. W. E. Forster), who was then Vice President of the Council, while expressing his general concurrence, was anxious to avoid any change at the moment. The right hon. Gentleman, however, altered the Scotch Code last year, and would, he presumed, have this year made some change in that of England if he had remained in office. But perhaps it might be said that these authorities, however eminent in themselves, were not practically acquainted with the working of elementary schools. What, then, were the views of Inspectors of Schools? From the last Report of the Committee of Council on Education which had been issued, it appeared that out of 22 School Inspectors' Reports, as many as 16 expressly called attention to this particular subject, and strongly urged that more ought to be done to encourage the teaching of these subjects, while none of the Reports contained a word in an opposite direction. These Reports would conclusively show that the Motion which he had intended to submit to the House was no individual crotchet of his—that it was not even the opinion of a few hon. Members who felt deeply on the subject, but the deliberate and strong opinion of those who were best qualified to speak on it—Her Majesty's Inspectors of Schools. No State indeed, in the present day, could afford to let its children grow up in ignorance of these subjects, and unless some such course as that suggested was taken, our countrymen would know less than the very savage.

“The savage,” says Professor Huxley, “knows the bearing of every hill and mountain range, the directions and junctions of all the streams, the situation of each tract characterized by peculiar vegetation, not only within the area he has himself traversed, but perhaps for a hundred miles around it. His acute observation enables him to detect the slightest undulations of the surface, the various changes of subsoil, and alterations in the character of the vegetation that would be quite imperceptible to a stranger. His eye is always open to the direction in which he is going; the mossy side of trees, the presence of certain plants under the shade of rocks, the morning and evening flight of birds, are to him indications of direction almost as sure as the sun in the heavens.”

Such a man knew far more of nature

than many of our fellow-countrymen, for a great number of them were necessarily engaged day by day, week by week, and month by month in occupations which were essentially monotonous, unvaried, and mechanical. Again, he ventured to suggest that the examinations in extra subjects ought to be oral and not written, for the spelling and composition necessary for a written examination in history or geography were themselves a severe effort for children of 11 and 12, and prevented them from concentrating their thoughts on the subject matter of the examination itself. Moreover, on that point, the Code was inconsistent with itself, for while English composition, defined as the power to write out some simple narrative, was not required until the Sixth Standard, yet if any extra subject, say history, was taken up, a child in the Fourth Standard was required to write out the events of some given reign. Out of 2,235,000 children, less than 50,000 children passed in 1872 in any one of the so-called extra subjects, and that in face of the fact that the best teachers had always protested against being limited to reading, writing, and arithmetic. He did not deny that indifferent schools might get something under the rule; but what was evident from the figures was, that a good school could earn the whole grant without teaching anything beyond reading, writing, and arithmetic. Though, no doubt, the New Code was an improvement, still there was evidence that even under it our schools were becoming worse. But what was the effect of the present system on "the three R's?" We sacrificed everything else to them, but did we get that for which we paid so high a price? How many of the children did hon. Members suppose had shown themselves able to read with fluency and expression, to write a short letter or an easy paraphrase, and in arithmetic had shown an acquaintance with proportion and fractions? The numbers—he blushed to quote them—were out of 2,235,000 children,—for the reading, 14,000; for the writing, 11,000; for the arithmetic, 8,800. That was, surely, a very poor result. It must be remembered he was not now speaking of infants. He did not suggest that grants should be given till children were up to the Third Standard—that was to say, till they had been at least four years in

school, and were from 11 to 12 years old. It was sometimes argued that reading, writing, and arithmetic were much more important than anything else; but that he did not deny. He did not wish to interfere with the reading, writing, and arithmetic, but he maintained that these would be better learnt if not taken alone. Indeed, reading, writing, and arithmetic, could not be taught by themselves. The monotony and want of variety bored the children and cramped their minds. Mr. Lingen, then Secretary to the Committee of Council on Education, had told the Committee of that House, in 1868, that in the schools where extra subjects were taught, the reading, writing, and arithmetic were decidedly better than in those where the three R's were the only subjects. The Inspectors' Reports, moreover, seemed to show that in Scotland, where the extra subjects were encouraged, the reading, writing and arithmetic, so far from suffering, were better done than in England. Thus, in England, while 88 per cent of the children presented in reading passed, in Scotland the proportion was 98 per cent: in England the proportion who passed in writing was 82 per cent: in Scotland 91 per cent; in arithmetic the proportion for England was 72 per cent, in Scotland 87 per cent. Thus, in every point, the children in Scotch schools did better than those in English, who were kept grinding on at reading, writing, and arithmetic. Why should Scotland have a better Code than England? Why should Scotch children enjoy privileges which English children were refused? The Scotch people would not be satisfied with the schools we had to put up with, and he hoped therefore that Scotch Members would assist English Members in improving the present state of things. Again, it was a matter of constant regret that parents took away their children from school at so early an age; but as long as our school system was so narrow how could we wonder at it? Our schools were mere infant schools. No doubt reading, writing, and arithmetic were essential, but we wanted our children to be trained, not into mere shop-boys, but into citizens; and hon. Members might rest assured they would never check drunkenness in the country unless they could replace the craving for drink by the higher stimulus of intellectual tastes. He was not complaining

*Sir John Lubbock*



of Her Majesty's Government. Considering the time of year at which the noble Lord (Viscount Sandon) had entered upon his duties as Vice President of the Council, it was not surprising that he had not this year modified the Code; but he hoped they would receive from him some intimation that he was prepared to do so next year, for in so far as Government influence could make them, our schools at present were places of mere instruction, rather than of education in the true sense of the word. The time, however, had surely come when we might do more, and if our schools were really to fulfil their high functions, the education given in them must be such as would tend to cultivate and expand the mind, to protect our children against the temptation of drink and other sensuous indulgences, by teaching them to appreciate the beautiful world in which we lived, and thus opening to them those rational and intellectual enjoyments which cost so little and were yet beyond all price.

MR. REID said, that after the able, eloquent, and exhaustive speech of the hon. Baronet the Member for Maidstone (Sir John Lubbock) he should not trespass upon the time of the House with many observations of his own; he would confine his remarks to the importance of making elementary education a necessity. At present the children attending the schools of the country were so imperfectly educated that very soon after they ceased school attendance, the little they had acquired there vanished and was lost. The reason why what they were taught did not take sufficient hold on them was, that it was not imparted in a sufficiently interesting way, in consequence of reading, writing, and arithmetic being taught simply and alone; and their interest was not excited, as would be the case if the extra subjects to which the hon. Baronet had alluded were made part and parcel of their elementary education instead of being treated as extras. That the result was unsatisfactory was shown by the statistics of the Education Department. A Report issued a year ago showed that the total number of children presented for examination in 1872 was 661,589, and out of these only 118,799, or 18 per cent, were presented in Standards IV. to VI., and only 65,796 passed without failure in any subject. The question was, what they should do in order

to encourage the teaching of the extra subjects in elementary schools. Should they offer more money? He thought not, and in fact, believed the money was more than sufficient already. The easiest thing as it seemed to him was, to assimilate the English to the Scotch Code. Under the Scotch Code, grammar was introduced as early as the Second Standard, and so on with the other subjects of history and geography, which the hon. Baronet described as essential elements in elementary education. He did not wish, in seeking to introduce into the school course the subjects mentioned in the Resolution, to detract in any way from the the teaching of reading, writing and arithmetic. On the contrary, he wished to improve that teaching, and he was of opinion that that result would be attained by the course he advocated. In Scotland, the grant was a reality. It could be earned and secured, whereas in England, as the hon. Baronet had shown, it was an illusory thing altogether. Nothing could be easier than to assimilate the English Code to the Scotch, and this he thought would have the effect of raising the standard of education.

MR. GOLDNEY said, he took as great an interest in the spread of education as any hon. Member in the House; but it was necessary that in a matter of this kind they should proceed step by step, and not require children to run before they were able to walk. They had two great difficulties to contend with in the matter. The first was the difficulty of inducing the children to go to school, and the second was the difficulty of keeping them there a sufficient time to give them an amount of instruction which would enable them to carry their education further, should they desire it, when they went out into the world. The first of these difficulties would be somewhat removed when the Act in respect to children employed in agriculture came into force; but with respect to the second difficulty they had to study the habits of the people and consider the views entertained by the parents. If the children were to be detained at school the parents would be deprived of the amount of family assistance which the labour of those children now brought them in, and it was necessary to show them that they were young to obtain a more than corresponding advantage. He quite agreed



with the hon. Baronet the Member for Maidstone (Sir John Lubbock), that the Reports of the examiners showed that there had been a lamentable deficiency in the results of the present Code. In the first three classes only 88 per cent of the children passed; while in the fourth, fifth, and sixth classes the result was still more distressing and unsatisfactory. In 1873 there passed in the Third Standard only 47·13 per cent, in the Fourth 43·46 per cent, in the Fifth 42·27, and in Sixth only 52·56 per cent; so that in those Standards more than one-half of the children present had proved failures, and the ratio of failure to efficiency would be raised if an attempt were made to cram into them more than they were now required to learn. He wished to hold out inducements to the children to remain in school until they at least acquired the rudiments of education; but if the standard of education was raised to the point suggested by the hon. Baronet, it was to be feared that the results would not be so satisfactory as under the present system, for a few clever children would be crammed to the neglect of the general body of the pupils. To carry out the hon. Baronet's proposition, moreover, would require an alteration of the whole Code, whereas, as it stood at present, it offered pecuniary encouragement to schoolmasters to teach the very subjects in question. Not only that, but at present many schoolmasters did something more than teach the three R's, and in some of the endowed schools in the district with which he was connected, exhibitions of £6 6s. per head were granted to the children, while those in the elementary school who had distinguished themselves were raised to the higher class schools. That was an inducement to the parents to make some sacrifices in the early part of their children's lives, in the hope of prospective advantages, and he thought some provision of the same kind might be very well instituted by the Education Department. If they raised the standard of education too high they would discourage both parents and children by the general want of success. He hoped the noble Lord (Viscount Sandon) who had entered on his duties in the Committee of Council on Education, and who was, no doubt, as desirous as any of his predecessors to advance the education of the country, would not be led away by the idea that

the present elementary system of education would not be productive of satisfactory results. If he was, he might find himself, to his regret, taking steps which would tend to the neglect of the great majority of the children in elementary schools.

MR. EVANS said, that he was the manager of schools in the country, in which they had introduced one or more of these extra subjects, and he believed that they had thereby raised and improved the education of the children. He would therefore suggest that it was a matter worthy of the attention of the Education Department, whether something could not be done in the direction recommended by the hon. Baronet the Member for Maidstone.

MR. RATHBONE thought it was not quite apparent to schoolmasters that teaching extra subjects would pay them for their extra trouble; but he might mention that after a complete investigation at Liverpool, the best masters showed that the extra subjects did pay them, and that such teaching raised the general intelligence of the school, and brought the children up to a higher standard.

MR. KAY-SHUTTLEWORTH, in supporting the Motion, said, it was true, as the hon. Member for Chippenham (Mr. Goldney) had stated, that a large proportion of schoolmasters did teach the children something more than the three rudiments in which they were examined by the Inspector. They taught, more or less, geography, history, and grammar. But the hon. Member had failed to point out that while the Code did contemplate a higher examination also—namely, that in the so-called extra subjects, yet comparatively few school teachers presented children for examination in those higher subjects. There was an apparent inducement to them to teach these subjects, for a grant of 3s. was offered in the Code for each child that passed in one of them. But the fact was, that the inducement was apparent and not real; for the grant to every school was limited by the condition that it should not exceed 15s. per child in average attendance; and schoolmasters knew quite well that even if some of their scholars failed in the rudiments, and although no extra subjects were taught, the school grant would amount generally to about 15s. per child. Thus,

*Mr. Goldney*

there was nothing to gain by presenting children for examination in geography, history, and so on. Now, it was most desirable to encourage some schools at least to aspire to something higher than the mere rudiments taught by the least enterprising teachers, and to make an endeavour to throw some degree of charm around the instruction given to poor children. He (Mr. Kay-Shuttleworth) had suggested in that House before, and would now once more urge on the Department represented by his noble Friend (Viscount Sandon), that, in the case of schools where the extra subjects were taught, it was not desirable to impose this limit on the grant—that it should not surpass 15*s.* per child. He would advise that the other limitation on the grant should be maintained—namely, that it should never exceed half the income, nor half the expenses of the school. That was a wise rule. But why refuse to give more than 15*s.* per child to schools where, because of the existence of a better teaching staff, and because additional instruction was given, the expenses of the school were greater than 30*s.* per child? In London schools the expense was often nearer 40*s.* than 30*s.*; and 34*s.* would be a fair estimate for a good school, where an education was given higher than in bare reading, writing, and arithmetic. In such cases a limit of 17*s.* might be substituted for that of 15*s.* Let us in England follow the example set us by Scotland, and let our Code advance in the footsteps of the Scotch Code, giving a real instead of a merely nominal encouragement to more complete education.

VISCOUNT SANDON thanked the hon. Baronet the Member for Maidstone (Sir John Lubbock) for the very able and temperate manner in which he had brought forward this interesting subject. It was quite true that he himself and the Government had a warm feeling in favour of doing all they could to promote the noble system of elementary education which his right hon. Friend opposite (Mr. Forster) had so well inaugurated. Mr. Corry—a name never mentioned in that House without respect—was one of the first who moved very zealously in the Education Board on behalf of those extra subjects. The Code had to be settled within three weeks or a month of the time when the Lord President and himself entered

upon office, and they felt that it would have been presumptuous on their part, after so short an acquaintance with the matter, to venture to propose any serious alterations in a Code which was the work of the careful and skilful men who had devoted themselves to the task of framing it. Moreover, it was, he thought, very undesirable to make frequent changes in the Code, whereby the children themselves, the teachers, the Inspectors, and others who worked under it, might be seriously worried. Again, it should be remembered that the Scotch Code would only come really into effect in Scotland after the 31st of August next. In the Scotch Code some very important changes were introduced; and, possibly, after they had had some further experience of their operation, they might be worthy of imitation in this country. The Scotch Code included these points—extra payment for superior organization and discipline in school; extra payments for extra subjects without deduction; extra payments for intelligence and knowledge of subjects by classes—all of which were matters of interest that they would watch with great attention to see how they worked in Scotland before adopting them in England. Another consideration which made it desirable that they should hold their hands was, that since 1869 there had been an averaged increased attendance in their schools of 330,000 children. That might be taken to represent an increase of about 500,000 children on the books since 1869. In all probability the mass of children thus swept into the schools consisted of the least educated portion, and it was therefore undesirable to raise the standards in the face of that poorly educated body of children who had lately entered the schools. Again, what were the facts as to the number of children who passed in the extra subjects? The average attendance, deducting infants, was, in 1872, 1,079,000, and in 1873 it was 1,191,000, showing an increase of 112,000. The number of scholars examined in 1872 was 661,500; in 1873 it was 752,200, showing an advance of 90,700. Deducting 52 per cent as the proportion under 10 years of age, there would remain as the numbers to be presented for examination in their standards, according to age, in 1872, 330,000, and in 1873, 370,000. But when they came to see how many

actually did come under examination under the three Standards, IV., V., and IV., which the extra subjects affected, they found that in 1872 118,700 were examined, and in 1873 131,000, being an advance of 12,300. That was a very small proportion of the children who ought properly, according to their age, to be examined in the three upper Standards. Again, out of those Standards, how many passed or were examined in extra subjects? In 1872 the number was 71,500; in 1873, 77,800, being an increase of 6,300. The advance, as would be seen, had been somewhat encouraging; but still, the small number of children who at present came under examination in the upper Standards, and the small number who came up in the extra subjects, was a good reason for showing great caution in raising the Standards. There was a danger that they might seriously diminish the number of children who passed in the Standards, than which nothing could tend so much to discourage the scholars, the masters, and the teachers. At the same time, he confessed, he thought there were reasons why they should not hastily put aside the suggestions of the hon. Member for Maidstone—he did not mean in respect to the present year, but in respect to their future action. He felt strongly that under the new Act, now that they had made education a necessary of life, now that they had introduced compulsion to so great an extent, and now that they had so largely increased the charge which the public had to bear, both out of the Imperial Exchequer and the local rates, a fresh responsibility had been placed upon the State in regard to education. First, the State was under fresh responsibility towards the parents. When they took the children during the whole education period day after day, and year after year, the parents had a right to say to the State—"See that our children are thoroughly educated." Then, again, in respect to the children themselves, if they took them away from work and occupied all the time which they used to devote to industrial pursuits, the children had a right to claim from the State a good return for the honourable servitude in which it held them. And, as to the country, when they put upon it those heavy burdens to which he had referred for educational purposes, he

thought the nation also had a right to look to the Educational Department, to see that the education they gave the children was suited to make them grow up in after life to be thoroughly good and useful citizens. The country might well require that they should not allow the children's time to be either wasted by inferior education, or frittered away by fanciful theories of education. The country was also entitled to insist that the children should be brought up in the best habits of morality, in obedience to the laws, and in a knowledge of their duties as citizens. Those considerations made him feel disinclined hastily to reject the proposal of the hon. Member for Maidstone. Moreover, he thought that if they were hereafter to keep the children habitually in the schools from 5 to 13, and secure their regular attendance, the character of the schools was likely to deteriorate, unless they introduced somewhat of, he was going to say, a more exciting education than the mere study of reading, writing, and summing. Speaking on behalf of the Lord President and himself, however, he wished it to be distinctly understood that he could give no pledges in detail on that subject. He would, however, state very briefly the principles on which they would approach the consideration of the Code for the coming year, and he trusted, from the temper which the House had shown, that it would put sufficient confidence in them to accept his statement. With regard to teaching children reading, writing, and a sufficient knowledge of arithmetic to fit them for after-life, they were all agreed that the instruction in these elementary subjects should be a thoroughly good one; while with respect to the other subjects which they might introduce into their educational course, he thought the principle which should guide them in their choice should be to select those by which a child should be taught thoroughly to think and to use his intellectual faculties. He confessed he did not attach very much importance—provided that the elements of instruction to which he had referred had been given—to what a child under the age of 12 actually learnt in school. But what he did attach great importance to was, that a child should, as far as possible, be led to exercise his intellectual faculties with pleasure; and, upon this principle, the Government



would approach the consideration of the proposed alterations in the Code. There was one other principle by which the action of the Government in the matter would be guided. They were determined not to crowd out the religious teaching which the great mass of parents in this country were evidently desirous their children should receive, and they would look with great jealousy at any tendency to create in the minds of the children the idea that the State was disposed to set itself on the defensive against the teaching of religion. That was a feeling which he believed was shared by his right hon. Friend opposite, who, with such great success and such untiring zeal, had administered the Department with which he now had the honour to be connected. It was a feeling, too, in which he felt sure the great majority of the English people participated, and while giving every attention to this all-important matter, there were two other dangers which lurked in all those matters which the Government would endeavour to avoid—namely, that of reducing the schools to a dead level, and that of cultivating so much the cleverest children as to allow the education of the great mass of children to be neglected. There was, in his opinion, a good deal in the suggestion of his hon. Friend the Member for Chippenham (Mr. Goldney) with respect to the establishment of exhibitions from the National Schools to schools of a higher order, as a means of getting over the difficulty of having the clever children too much attended to. By that means an opening would be given to children of merit and talent which the Government would always be very glad to encourage. In conclusion, he hoped, under the circumstances of the case, the House would allow them time to consider the subject, and consult those best acquainted with the working of the Code, and that they might reserve a full statement of the mode in which the Government might deem it to be their duty to deal with it for another year.

MR. W. E. FORSTER said, he had listened with great pleasure to the speech of his noble Friend the Vice President of the Committee of Council on Education, and was glad to find that there was a perfect union of principle between them as to the main features of

the question. He congratulated the House and the country on the progress which had of late years been made, for he thought they were now all agreed that it was a perfectly legitimate mode of spending the public money to give the children who attended the National Schools the very best education that it was possible they could get during the time they remained there, and that without confining their acquirements to mere reading, writing, and arithmetic, they should offer to them the power of afterwards increasing their mental culture. They were all agreed as to what they were aiming at, and the only question was, how to accomplish the object. With regard to religious education, it was his opinion, and was becoming more and more the opinion of the country, that, putting aside the religious motives of action, upon which there was much difference of opinion amongst conscientious men, there could be but little doubt as far as regarded the improvement of the intellect of the child, and the increase of the power to obtain and use knowledge, that nothing would more prevent that power being really possessed than by banishing from the schools all religious education. But the question before the House on the present occasion was, whether it was or was not advisable to alter the Code by encouraging those subjects to which his hon. Friend the Member for Maidstone (Sir John Lubbock) had invited attention? Now, on that point he was not surprised at the course which had been taken by his noble Friend opposite, for it could hardly be expected that so soon after his accession to office, he should be prepared to issue a fresh Code. He quite concurred with him also, in thinking that it would be most undesirable to make alterations in the Code without the fullest consideration. The Code prescribed to all masters and mistresses the mode in which they should conduct their schools; their incomes depended upon it, and they ought to be made to feel that their efforts were not useless, although he fully admitted that the time might come when the Code might be reconsidered with advantage, and in the direction which his hon. Friend had indicated. He was not, at the same time, quite prepared to admit the justice of the objections which his hon. Friend had advanced. The re-



sult with respect to the higher standards was, no doubt, as he had pointed out, very poor, and it was to be lamented that but few children passed in the Fifth, and still fewer in the Sixth; but the main cause of the backwardness which had been complained of was the miserableness and irregularity of the attendance, and in many cases, the want of attendance at all on the part of the children, and to remove that should be one of the main objects in view. Scotland had been referred to, and undoubtedly Scotland was in advance of England; but a fair comparison could not be made between England and Scotland with respect to the attainments of children, for Scotland had been an educated country for centuries, and its children lived in educated homes. To some extent, the bad results in England were owing to the fact that so many children had been recently swept into the schools; and they were also to some extent owing to the fact, that the Standards had been raised on the supersession of the Revised by the New Code. The time was, however, coming when we might make some change in the direction in which it had been made in Scotland, but it was not unreasonable that the noble Lord should say that he would like to see the results in Scotland before he pledged himself. The first considerable difference between the English and Scotch Codes was, that last year geography and history were made subjects of teaching in the Fourth, Fifth, and Sixth Standards of the Scotch Code; and a knowledge of them was made a necessary condition of passing in those Standards. He had not supported this change without the fullest consideration, though as regarded history, he might add that there had been some concession to Scotch feeling, which was, that on the Fourth and Fifth Standards it should be Scotch history, and on the Sixth Standard only the history of the Imperial Government. On visiting a good Scotch school, he found the children well up in Scotch history—they remembered the glories of Scotland, and were familiar with Bannockburn; but, just before leaving, he asked whether any child could remember an occasion on which the Scotch were beaten by the English, and it did not appear that any scholar could. However, it was worth considering whether the time had not

arrived when in England we might add some teaching in geography and history, to the Fourth, Fifth, and Sixth Standards. In the Scotch Code, moreover, an additional stimulus was given by saying that there should be an average attendance grant of 2s., if the classes in these upper Standards generally passed well, and that independently of the special examination. He did not wish the noble Lord to pledge himself without making the fullest inquiry; but the more he considered the matter, the more he was convinced that we might give a little more public money for the general results of the teaching of classes, instead of on individual examination. There would be an advantage not only in making geography and history necessary to pass in the Standards; but in offering a reward for good teaching, if the Inspector was satisfied that the classes were well conducted. Another change made in the Scotch Code, was the giving of 4s. instead of 3s., for special subjects, and a further and very important change, one well worthy of imitation in England, was, that a child which had passed in the Standards was allowed to go up in the special subjects; and he hoped the advisability of granting that privilege in England would be considered. It would involve the expenditure of a little more public money; but it could not be much, because children left school at such an early age. Then there was the very important matter of the 15s. deduction. It was a condition of the annual grants that if a locality did not raise as much money as the public gave, a corresponding deduction should be made from the grant, and however severely that might operate, he did not think that the House could with safety depart from that condition. There could be no real check unless 6d. was required for every 6d. given; but there was not the same reason for saying that the grant should never exceed 15s. per child, because the cost of education, as it improved, was necessarily increasing. He did not advise, as had been suggested in the debate, that the limit should be raised from 15s. to 17s., but he thought that we might in England, as in Scotland, say that extra subjects should not be taken into account in that deduction. This was the way in which he thought the difficulty might be most hopefully met. It was discour-

aging to work up in extra subjects, and then to discover that no money was gained. That was what he should have said to his Colleagues had he remained in office, and he thought it most candid now to give the result of his own experience. At the same time, were he in the place of the noble Lord, he should take a little longer time yet to consider the matter; but no doubt the noble Lord would consider the matter, and he trusted that real progress would be made in the Code which he would bring before the House next year.

PEACE PRESERVATION (IRELAND) ACT  
—THE “FLAG OF IRELAND” NEWS-  
PAPER.—OBSERVATIONS.

MR. OWEN LEWIS, in rising to call attention to the warning stated to have been given by the Lords Justices of Ireland to the “Flag of Ireland” newspaper, said, he was anxious not to be misunderstood; he did not sympathize with the articles in the paper; he objected to what had been done by the Judges — although, doubtless, acting within the letter of the law—irrespective of the merits of the case as regarded the contents of the articles. Every British subject accused of a crime was entitled to examination and trial in public, and to every opportunity of defending himself; and it was unconstitutional for the functions of counsel, Judge, and juror to be exercised by the same person, as had been done in the case under notice. The conduct of the Government in the affair, too, was unconstitutional and arbitrary, for if the law had been violated, the offender should have been brought to trial, and heard in his own defence—a right enjoyed by the greatest malefactor. That no conviction could be obtained in the case of political prisoners, owing to the prejudices of the juries, he denied, for the Fenian leaders were convicted, as also were certain Dublin journalists in 1867 or 1868. Wherever the case was clearly proved, the Crown could rely on obtaining a conviction, and the Irish people could not be expected to feel respect for the Constitution, if its elementary principles were set aside, when they themselves were concerned. Precept being better than practice, the Government ought to set the example of scrupulous regard for the letter of the Constitution. If Irishmen were to become as contented

as Englishmen, they must be treated in the same manner, and one could imagine what excitement would arise in England if it were announced in *The Times* that the Home Secretary had given a warning to an English newspaper. He hoped that was the last time such arbitrary measures would be adopted. Perhaps justification might be attempted by the Ministry on the ground that the law had been passed by the previous Government; but if the law were bad, as he thought it was, it was alike idle and unjust to take shelter under any such excuse, for their successors incurred equal responsibility by enforcing it. Already, much evil had been wrought in Ireland by the law, and instead of good being done, discontent and angry feelings were aroused by such an arbitrary proceeding as that which he complained of. The Irish people were no worse than the English publicans, and the Government having undertaken to relieve the latter from oppressive legislation, the former were entitled to similar treatment. The country had never been more peaceful, for the Fenian organization was dead, and the people were devoting themselves to a constitutional organization, working in the light of day. It was inopportune at such a time, therefore, to take a step which would tend to create discontent, and to make Irishmen think it was useless to employ constitutional means to effect their objects. He feared he was pleading for an unpopular cause, but he appealed to Englishmen's love of fair play. He appealed for justice and fair play for his country, and he trusted he should not appeal in vain.

SIR MICHAEL HICKS - BEACH said, he could not complain of any want of moderation and fairness in the speech of the hon. Member for Carlow Borough (Mr. Owen Lewis). He presumed the subject had been brought forward rather in order to call attention to the circumstances than with any serious wish to obtain the Papers to which the Notice of Motion of the hon. Member referred. As regarded the newspaper itself, it would probably be hardly worth while to have its contents printed for the information of the House, while the warning which had been served was simply a copy of the notice which had been given on similar occasions by the late Government. It seemed to him that the speech of the hon. Gentleman

had proceeded on a mistaken assumption. Probably it was not necessary on this occasion to defend the policy of the Peace Preservation Acts, and, in particular, of the clause that related to the matter now before the House; but he thought the hon. Member had hardly given sufficient weight to the circumstance that the state of Ireland was widely different from that of England. Both in 1870 and in 1873 Parliament thought it necessary, for the better security of life and property in Ireland, that certain exceptional laws should be enacted with reference to that part of the United Kingdom, and among those laws was the clause which gave Government exceptional powers with regard to the Press. Now, in England, those exceptional powers were not required, and, therefore, had never been demanded. If sedition was circulated in England, as it might be in some obscure newspapers, they knew that, thanks to the good sense and loyalty of Englishmen, and to the opportunities they enjoyed of learning the whole of the facts from other newspapers, an independent judgment was formed on the matter discussed, and the seditious expressions practically did no harm. But he was afraid that in Ireland the case was still widely different, for a spirit of disaffection still existed there which might be easily fanned into a flame by writings of the kind to which the hon. Member had referred; and, so far from the people having before them newspapers of every shade of politics, almost the only popular literature circulated in Ireland was of a kind that was unfavourable to the cause of order and loyalty and good government. ["No, no."] Hon. Members cried "No;" but to illustrate what he had said, he would quote a passage or two from the articles which had led Government to take the step which had just been criticized. The paper in question was *The Flag of Ireland*, which had a large circulation among the more ignorant classes. One of the articles to which he alluded spoke of Her Majesty as "the foreign lady that holds Ireland in subjection against their wishes"—that was, the wishes of Irishmen. Again, referring to opinions expressed by Mr. Goldwin Smith in a letter which had been published in one of the London daily papers, it remarked that they showed "the desperate hopelessness of Ireland's obtaining from England by

*Sir Michael Hicks-Beach*

peaceable means that which her enemies had united in refusing to her." It also pointedly alluded to the Fenian disturbances as the only means by which Irishmen could hope that their grievances would be redressed. He had not come down provided with a copy of the paper, or he would have shown the House in some detail what kind of a publication it was. But he might state generally that its whole tone was contrary to the cause of order and good government. During the war which this country had recently been compelled to wage upon the Gold Coast, articles appeared in this *Flag of Ireland* speaking of the British Army as if it had been the army of an alien and hostile race, glorying in the report which came to this country—and which fortunately proved untrue—that our forces, including many Irishmen, had been surrounded and cut off by the army of the Ashantee King, and going so far as to express a wish for "more power to, the Ashantees." [An hon. MEMBER: What paper is that in?] What paper? *The Flag of Ireland*. It contained notices of Fenian meetings in America, and portions of the journal of O'Donovan Rossa whilst in prison appeared in it at frequent intervals. And while this was the character of the journal, what had the Government done? To listen to the hon. Member, the House might suppose that the proprietors of this paper had been overwhelmed with ruin. Government had merely done what had been approved, when the Peace Preservation Acts were passing through the House, by hon. Members who were included in what was called the National Party of Ireland. ["No, no."] They had supported the idea of a "warning," with the object of securing that an offending newspaper might not unduly suffer. He had referred to the debates, and had found that an Irish Member well known and respected in the House—he referred to the right hon. Gentleman the Member for Kildare (Mr. Cogan)—said, in supporting the insertion of a clause providing that a warning should be given before confiscation—

"He trusted the Government would listen to the suggestion that they should first give a warning to the newspaper proprietor before proceeding to the extremity of seizing the plant of the newspaper. This arrangement would have one good effect; a Government would hesitate long before taking the extreme course, but a warning would be a more simple matter, and could be given without so much deliberation.



and might be the means of rendering it unnecessary at all to have recourse to it."—[3 *Hansard*, cc. 651.]

As a matter of fact, what was this warning? It was what the word denoted, and nothing more. It called the attention of the editor of the newspaper, who might himself have been merely careless in the matter, though he feared that could hardly have been the case with the editor of *The Flag of Ireland*, to the fact that some of his contributors had been either imprudent or disloyal; and it pointed out to him that he ought to change the tone of the articles in his paper in order to save himself from the penalties of the law. Why, if the Government had brought an action against this newspaper, the mere cost of defending it might have ruined the editor and proprietor, and have placed them in an infinitely worse position than they were at present. He had endeavoured to explain to the House the real nature and effect of the proceeding; he had read passages from the articles on which that proceeding had been taken; he had also explained the mischief which might be done in Ireland by the free and constant circulation of opinions such as he had quoted—mischief which he believed was beyond almost anything which people in England could conceive; and under the circumstances, he trusted the House would be of opinion that in this matter the Irish Government had not exceeded their duty. He could assure them that it was no pleasure to Government to put exceptional provisions of the law into force; but where it appeared to be necessary for the safety of the country, and for the security of life and property, to prevent seditious opinions from taking root among the ignorant masses of the people, Government would not hesitate to take the course which duty demanded.

SIR PATRICK O'BRIEN said, the observations they had just listened to were such as they might have expected to hear at the period when there were difficulties in Ireland, and when strong expressions were uttered throughout the country. At the present time, however, they sounded strange, for the condition of Ireland was now, and had been for the last twelve months, notoriously quiet. The right hon. Gentleman had not brought forward a single truth—nor even a single untruth, to warrant the step which had been taken, and which

was calculated to do harm, and arouse angry feelings. He (Sir Patrick O'Brien) was not there to support *The Flag of Ireland*, or *The Irishman*, and much less *The Nation*. Those journals had the strength of their convictions and the manliness to express their opinions. He was one of those who, having a strong faith in his country, had always advocated its connection with the English nation. [Hear, hear!"] Hon. Gentlemen might sneer at him, and hon. Gentlemen behind him might also sneer, for, probably, it was inconvenient that he should express these opinions, but he thought the right hon. Baronet should, before attempting to rule Ireland, inquire what its Constitution was, and not merely refer to olden days. By olden days he meant last year. [Laughter.] It was all very well for the right hon. Gentleman at the head of the Woods and Forests to smile; but he thought some respect should be shown to those who had been 20 years in that House, when they rose to express the opinions that were within them. He saw on the other side an hon. Gentleman who attempted to speak last night on Navy administration, and he (Sir Patrick O'Brien) cheered the hon. Member. A friend asked him at the levee that day why he had done so? and he replied that the hon. Member was talking so extraordinarily, that a cheer would be the best thing to discompose him. And this was the right hon. Gentleman who was attempting to interfere with him now. [Laughter.] He had not risen in his place to be suddenly put down. He had known of many attempts to sit upon men in that House; but he was not going to submit to it. [Laughter.] To hon. Gentlemen opposite the idea of laughing seemed to be a most charming thing.

MR. SPEAKER reminded the hon. Baronet that he must confine his remarks to the Question before the House and address them to the Chair.

SIR PATRICK O'BRIEN went on to say, that when a question affecting the Irish Press was brought forward, hon. Gentlemen opposite attempted to make hon. Members sit down, and laughed at the principle of a free Press in the person of its humble advocate. For the last four or five years he had, with other hon. Gentlemen, attempted to oppose certain measures introduced by the late Government, and as he had ventured in the most respectful manner to express the opinions of the people of his country, he could



not understand why his rising on this occasion should be a signal for laughter on the part of hon. Gentlemen opposite. They had a majority of 50. He knew that well, and he had never expected that the party he was connected with would at the late election have had a triumphant majority; but, at the same time, his opinion had always been that a majority was a disadvantage when it was too great. He complained that the right hon. Baronet had taken an isolated case, instead of considering the general subject of the Press of Ireland; and he believed the argument, that in this instance the power of England was necessary to crush a paper, would have an injurious effect. Last evening, the question whether an iron-clad should have six or eight inches of armour was considered all important to the English nation, and discussed patiently; but it would be known that when the interests of the Irish Press were brought forward, with respect to its freedom of expression, the cry was raised—"We have a majority of 50; sit down, we will not hear you."

MR. BUTT said, it was somewhat unfortunate that no one had brought before the House the articles in consequence of which the warning was given. The real question was, whether those articles were justifiable or not. He could, in a sense, speak disinterestedly on the point, because the articles contained an attack upon himself. One of them was a reply to Mr. Froude, and said that Irish rebels had fought bravely. That, he believed, was a fact which few would deny. At the same time, he admitted the writer ought not to have described the Queen as "a foreign lady." Still, that expression would have passed unnoticed, but for the publicity given to it by the warning. It was worthy of remark that the leading Conservative paper in Ireland, *The Dublin Evening Mail*, denounced the warning in the strongest terms, and believed it to be a hoax practised to bring the Government into contempt. The right hon. Gentleman the Chief Secretary for Ireland spoke of a warning as a light matter; but what was a warning? Why, once a warning was given, a paper held its life at the pleasure of the Lord Lieutenant. Without charge, without accusation, without notice, the Lord Lieutenant could seize the type, and plant, and everything connected with that paper, and confiscate them. Therefore, the effect of a warning

was to transfer a paper from the position of a free journal to one actually in chains. These extreme powers were given to be used in extreme cases. If, indeed, seditious language was being employed throughout the country, if there was danger of insurrection, if drillings and seditious meetings were being held, then Government might fairly say—"We are entrusted with those tremendous powers exactly for this crisis, and we must use them." He could understand such language at such a time, and neither the House nor any reasonable man could blame them for holding it. But there was nothing of the kind now. The country was in extreme tranquillity, and therefore Government was not justified in seizing on a mere chance expression in order to use this tremendous power. He believed the language was harmless, and so was that of the other article to which the right hon. Baronet referred, except for the publicity which the warning of the Government had given it. The effect of the arbitrary act of the Government was to attract sympathy to the man whom people would otherwise condemn. It was for the following reason that he strongly objected to the use which had been made of the Act of Parliament in this instance. It was exceedingly unfortunate that the very day when a Nobleman was to enter Dublin—and did enter it—whom the Irish people were willing to receive with the respect due to his exalted rank, and to his character as Representative of the Sovereign, should have been chosen, as if to inaugurate a new system of coercion and repression; and still more unfortunate that, in the evening of that day, a measure of justice and fair dealing to Ireland should have been rejected by that House. He and his Friends would offer no factious opposition to Her Majesty's Government in their dealings with Ireland, and as far as any efforts of theirs could avail to maintain peace and tranquillity in the country they would be exerted; but he believed those efforts would be vain if popular feeling was excited and exasperated by measures of repression which could not be calmly weighed by the people of Ireland. He earnestly hoped the government of Ireland would not be continued in the spirit of this Act. It was true that there had been great discontent in Ireland a few years ago, but that discontent had passed away, and the Government might believe

him that they would do more by one warning, like that given, to arouse discontent in Ireland than anything else that he could suppose. He believed, in his soul, that such warnings would make many rebels. If the Government were prepared to use those powers, they ought to be used cautiously. If they were used oppressively, he believed the people of Ireland would lose confidence in the Government. If the Government placed a newspaper in the "dock," the effect would be to destroy its commercial credit. It was a punishment that ought not to be used without public necessity. Were right hon. Gentlemen opposite prepared to follow it up? Suppose next week *The Flag of Ireland* justified what it had done by language such as might be found in many an English writer, for instance, equal to the expression referred to, in speaking of the Queen as "a foreign lady," which, though true in a sense, he would admit was objectionable, were the Government prepared to crush it? If they did so, they might drive the paper into some remote locality to be published; it might, for instance, be published at Holyhead, or any other place out of the country. He hoped the Government would not persevere in such a course; for, if they did, they would do more to revive Fenianism than could be done by all the seditious speeches and writings which might be uttered and published in Ireland for many years.

THE ATTORNEY GENERAL FOR IRELAND (Dr. BALL) said, he perfectly remembered what occurred in that House when the Peace Preservation Act of 1870 was introduced by one of the most liberal Members who ever sat in Parliament, Mr. Chichester Fortescue. At that period an extraordinary amount of agrarian crime existed in Ireland; the Bill was aimed primarily at that; but, because agrarian crime was found to be often instigated and excited by newspaper articles in Ireland, clauses were introduced for the purpose of enabling the Government to prevent the diffusion of writings calculated to lead to such results. The Government of that day had no desire to interfere with the freedom of the Press; what they desired was to prevent the Press from taking means for the dissemination of incitements which might lead to the commission of the very offences at which the rest of the Bill was aimed. What were

called "the warning provisions," therefore, were introduced into the Bill, and they were introduced in the interests of the newspapers themselves. It was pointed out in the House, that men had been held answerable for articles in newspapers brought up cumulatively against them, while if the owners of the papers had had their attention called to their nature they would never have suffered them to be continued. He himself had experience of the fact, for he was counsel in a prosecution in a case in which he had reason to believe that one of the worst articles, on which a verdict was obtained, was not written by the editor of the paper at all, and might have been inserted without his knowledge. The object of a warning, therefore, was simply to inform the editor that whoever had written a particular article had transgressed the law. By calling his attention to it, he was saved from being visited with punishment for want of knowledge of what was passing in his paper. What could be more fair than that before you punished a man you should give him notice that a course was being entered upon which, if pursued, must inevitably lead to that result? The hon. Gentleman (Mr. Owen Lewis) who introduced this subject asked, why did not the Government prosecute? That was the very thing to which he would object. He objected to prosecute a person without telling him—"If you pursue such a course we will prosecute you." He would never be a party to the prosecution of a newspaper proprietor for an offence, of the commission of which, he might not have been aware. But it was a different thing when notice was given; the proprietor was then forewarned, and whatever he did afterwards he did at his peril. His hon. and learned Friend who spoke last endeavoured to slur over an expression in one of the articles which led to the warning. That was an expression which ought not to be slurred over. It was no light matter for any man to propagate in Ireland that Her Majesty was "a foreign woman who held possession of the country against the will of the people." He found that another newspaper last Saturday—and he was not certain that the same person was not the owner of both newspapers—pointed to that expression as relating unmistakably to the Queen. Now, such

language was not to be confounded with calm historical or philosophic discussion relative to the position of Ireland. That mode of writing of the Sovereign must, he contended, be denounced by every right-minded man. If the paper in question contained nothing but idle, empty, bombastic expressions without meaning, he, for his part, would never urge in that House or elsewhere that the slightest action should be taken against it, but would rather leave all such publications to the obscurity which they deserved. The case was, however, different when there was a plain, unmistakable expression such as that under discussion; and it was the duty of the Executive, he maintained, to say to the editor of the paper in which it appeared, "Look at that expression. Can you justify it; can you excuse it? It may have been written without your sanction, and published inadvertently. There it is, however, and we wish to point it out to you, and to tell you that such language must proceed no further." Such a warning was justified by the principles which had been laid down by Mr. Chichester Fortescue in the warning clauses of the Act of 1870, which were framed to prevent a paper proceeding in a perilous path.

MR. MITCHELL HENRY contended that the right hon. Gentleman who had just spoken had placed before the House a totally wrong issue. That the expression complained of was one which ought not to have been used was the opinion of the people of Ireland themselves, and he protested against its being said that it received the smallest sanction or sympathy either from them or any hon. Member from Ireland in that House. At the same time he regretted that the words of the article itself had not been laid before the House so that they might better determine whether the course adopted by the officers of the Government was merited. What he objected to was, that the law should be put in force by such means instead of appealing to the usual constitutional tribunals. The right hon. Gentleman also alleged that the warning was given in a friendly spirit to the newspaper; but did he not rather mean to say that on the commission of the next offence an arbitrary use would be made of the law, that the proprietor's property would be seized, and confiscated without trial before a jury. He would

remind the right hon. Gentleman that within a recent period, persons who had been guilty of similar offences had been prosecuted in the regular way and convicted by juries in Ireland; but the warning of a newspaper by three persons who only occupied office temporarily as Lords Justices certainly afforded a most remarkable illustration of the way in which that country was governed. If Ireland had a regular Government, such a warning would never have been issued, and he would remind the House that public meetings, attended by hon. Members of Parliament, were held in England, at which Republican and Communistic principles were propagated with impunity, and that persons who had attempted to disseminate such principles in Ireland had been hunted out of Cork—one of its cities which was supposed to be most disaffected. Indeed, he defied anyone to succeed in getting up a Republican meeting in the whole of Ireland. Some of those in that country who were mixed up with Fenianism—which he did not for a moment defend—however mistaken their conduct might have been, were actuated by the noblest motives, and he regretted very much that when an effort was being made to win back the people to Constitutional courses, three Gentlemen should have exercised so injudiciously the power which the law gave them for the express purpose that it should be employed only in suppressing grave sedition.

MR. DIGBY regretted to find that on that occasion the loyalty of Irish Members had been impugned, not directly, but by implication, and he gladly seized the opportunity of expressing in the British House of Commons his utter condemnation of the writing in some of the Irish newspapers. He deplored their language, and felt the most profound contempt for it. When he heard the Chief Secretary for Ireland quote expressions in which the writers exulted in the humiliation of the Imperial Forces and the defeat even of their own countrymen—for Irish soldiers served in the Queen's Army—he could not endure the language such infamous writers employed. But he was sorry the debate had occurred. Why should they question the loyal allegiance of Home Rulers? He could truly say that his motive in joining that body was, that he thought it offered an opportunity of



getting at the bottom of Irish discontent, and a fair ground for a real union with this country. He agreed with the hon. Member who spoke last, that it should not be supposed that Irish Members in any way encouraged the miserable and seditious scribes who wrote the articles complained of, and which would never appear if the Government would only place confidence in those who were the recognized leaders of the Irish people, instead of relying on exceptional laws which insulted the country, such as that under which the warning had been given to the paper in question. By enacting these exceptional laws they put Ireland in a position of inferiority. They were unwise because they did not trust to the honour, good sense, and patriotism of the Irish people, and, further, they were addressed more to England and Scotland than they were to Ireland, where public opinion was emphatically condemnatory of them; and to his own knowledge the Roman Catholic priests in the Queen's County did all in their power to prevent their circulation.

MR. RONAYNE said, he understood the right hon. Gentleman the Attorney General for Ireland to say that the notice had been given in kindness and consideration—in fact, as a warning—that if a similar course was persisted in, it would be followed by a legal prosecution. If that were so, he for one would not object, especially if it were conducted in a constitutional manner; but if the notice was to be followed by a policeman from the Castle with a waggon to take off the presses and types of the establishment, he could not see where the kindness was. There was no denying that disaffection and sedition existed in Ireland, and one principal cause of that was the existence and enforcement of laws of a coercive character. The whole history of that country was a vicious circle of coercion and sedition—sedition because of coercion and coercion because of sedition, and there was no instance of a concession having been made to Ireland except it was wrung from this country by a display of disaffection and disloyalty. That was the case in 1782, upon the declaration of Irish independence. Catholic Emancipation had been wrung from the Government of the Duke of Wellington and Sir Robert Peel by the terror inspired by the Clare election and the

fear of civil war; and they had lately heard the then Prime Minister and Lord Derby declare that it was in deference to Fenianism he had consented to disestablish and disendow the Irish Church. The reason of a great deal of the present inflammatory writing which appeared arose from the fact that Irishmen could not even meet as delegates and select men of thought and position to represent them, and the result was that language was used resenting the despotism with which Englishmen attempted to govern Ireland.

MR. GREGORY said, he thought that, after the course that had been taken by Irish Members, there ought to be some expression of opinion from some independent English Members. Much of the language used to-night was applicable, not to the present Government, but to that which was in power when the Irish Coercion Act was passed. That language had, however, nothing to do with the question before the House, for the Act was passed almost with unanimity, and the late Government thought it necessary, and the House accepted it on their recommendation. Moreover, there was much reason to believe that the present tranquillity of Ireland was secured by the Act being put in operation—[“No, no!”]—and if the Government attempted to withdraw the Act from the proclaimed districts, a protest would come up from everyone charged with the preservation of the peace in those districts. [“No!”] At all events, the Act was only put in operation in consequence of the representations of those who were responsible for the peace of those districts. The Act having received the assent of the Legislature, was it to be enforced, or was it to remain a dead letter in the hands of the present Government? It should be remembered that the warning of which complaint was made was not for a single isolated Act or expression, but had been called forth by the whole tone and tenor of the newspaper in question. It was an act of mercy towards that journal as well as to other newspapers in Ireland which might follow in the same course. If a newspaper in this country had been proceeded against it would not have been by a warning, but by an indictment against the proprietors.

SIR JOSEPH M'KENNA said, the hon. Member for East Sussex (Mr.



Gregory) was in error in attributing the tranquillity which prevailed in Ireland to the operation of the Coercion Act, he could assure the House, from extensive acquaintance with many parts of the country, that the peace which at present existed in Ireland was not in consequence of the Coercion Act and its application, but in spite of it. He trusted that the Secretary for Ireland would give the House an assurance that after the "warning" that had been given, he did not intend to proceed against any newspaper except in the regular course of prosecution.

Question, "That the said Resolution be now read a second time," put, and *agreed to*.

Resolution *agreed to*:—Bill ordered to be brought in by Mr. RAIKES, Mr. CHANCELLOR of the EXCHEQUER, and Mr. WILLIAM HENRY SMITH.

Bill *presented*, and read the first time.

#### EAST INDIA ANNUITY FUNDS BILL.

(Mr. Raikes, Lord George Hamilton, Mr. William Henry Smith.)

[BILL 30.] THIRD READING.

Order for Third Reading read.

MR. BECKETT - DENISON said, that, after the result of the division of last evening, he should offer no further opposition to the passing of the measure, though he must take that opportunity of repeating his opinion that the Annuity Fund was the property of those who had contributed to it, and that their claims ought to have been equitably settled by arbitration. He also wished to explain that in the last Parliament, after the litigation upon the subject, he brought the matter before the House, and would have had the support of the then Solicitor General—now Lord Coleridge—were it not that his Lordship had been counsel in the case for the claimants.

Bill read the third time, and *passed*.

#### MONASTIC AND CONVENTUAL INSTITUTIONS BILL.

POSTPONEMENT OF SECOND READING.

On the Motion of Mr. NEWDEGATE the second reading of this Bill was postponed till Tuesday, the 2nd of June.

*Sir Joseph M'Kenna*

#### CHAIN CABLES AND ANCHORS BILL.

Acts read; *considered* in Committee.

(In the Committee.)

*Resolved*, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law respecting the proving and sale of Chain Cables and Anchors.

Resolution *reported*:—Bill ordered to be brought in by Sir CHARLES ADDERLEY and Mr. CAVENDISH BENTINCK.

Bill *presented*, and read the first time. [Bill 85.]

#### BOARD OF TRADE ARBITRATIONS, INQUIRIES, &C. BILL.

On Motion of Sir CHARLES ADDERLEY, Bill to amend the powers of the Board of Trade with respect to inquiries, arbitrations, appointments, and other matters under special Acts, and to amend the Regulation of Railways Act, 1873, so far as regards the reference of differences to the Railway Commissioners in lieu of Arbitrators, ordered to be brought in by Sir CHARLES ADDERLEY and Mr. CAVENDISH BENTINCK.

Bill *presented*, and read the first time. [Bill 86.]

House adjourned at half  
after Twelve o'clock  
till Monday next.

### HOUSE OF LORDS,

*Monday, 4th May, 1874.*

MINUTES.]—PUBLIC BILLS—*First Reading*—East India Annuity Funds\* (51); Gas and Water Orders Confirmation\* (52); Landed Property (Ireland)\* (53).

*Second Reading*—Hertford College, Oxford\* (46); Public Works Loan Commissioners (Loans to School Boards)\* (23).

*Committee*—Report—Harbour Dues (Isle of Man)\* (34).

*Third Reading*—Bishop of Calcutta (Leave of Absence)\* (35), and *passed*.

#### THE PEACE OF EUROPE.

MOTION FOR PAPERS.

EARL RUSSELL rose to move an Address for Copies of any correspondence relating to the maintenance of the Peace of Europe with the Governments of the Emperor of Germany, the Emperor of Austria, the Emperor of Russia, and the French Republic, which can be communicated without injury to the public service. The noble Earl (who was very imperfectly heard), said, that, as he had not taken any part in the debate on the Address in reply to the Speech from the Throne on the opening of Parliament, he might, perhaps, be permitted to say

a few words with reference to the late change of Ministry. Many years ago, when addressing those who were then his constituents in the City of London, he told them that when the people of England—who were the ultimate Court of Appeal—found that reforms were progressing too slowly, they always manifested a great disposition to place in power that party whose object was to reform and to preserve; but when, on the contrary, they thought matters were hurried on too quickly, they manifested an equal disposition to place in power those whose chief object was to preserve and to reform. For himself, he found no fault with that disposition. He thought the one party was required to be in power at one time, and the other at other times, and that was plainly the opinion of the country. Therefore the inquiry he was about to address to the noble Earl the Secretary of Foreign Affairs was not one conceived in a spirit of hostility to Her Majesty's Government. That inquiry had reference to the state of Europe, and to the intentions of the Government on certain eventualities. In the first place, he would remind their Lordships that the state of Europe five years ago was one of great apparent tranquillity, and there seemed, according to a statement of the then existing Government, to be no danger of a rupture of that peace; yet people who were well informed knew that at that very time there was a determination on the part of the people of Germany to have a unity of Germany, and, on the other hand, a determination on the part of the French to obtain the Left Bank of the Rhine. Their Lordships were aware of the events which had since occurred, and what he now wished to know was whether the symptoms of agitation and hostility which at present were to be perceived, were the subsiding waves of a past storm, or the omens of coming tempest. They had it from a great man, Field Marshal Moltke, in a statement made recently by him to the German Parliament, that what Germany had obtained in five months would require 50 years to consolidate. On the other side, he had been told by people well informed, that the whole of the French Army, from the highest marshal down to the lowest ensign, were determined to have their revenge for what they regarded as a spoliation of the territory of

France and the rupture of her integrity by the annexation of Alsace and Lorraine. The question, then, was whether the symptoms now perceived were those of an approaching storm, or whether, notwithstanding those symptoms, we might remain for some years in peace and tranquillity. If they were the signs of storms, and if the peace of Europe was likely to be disturbed, it would be desirable to know whether Her Majesty's Government would be in that case prepared to take measures to preserve the peace of Europe? For his own part, he was convinced that such was the vast influence of England in the councils of Europe, that it would be in her power to preserve the general peace. He did not think any Power would venture to disturb it if there was a strong alliance between England and the other Powers determined to preserve the peace of Europe. He imagined, in the first place, that they might rely on Her Majesty's Government adhering to all the engagements and all the Treaties by which the Crown of Great Britain was bound to her allies. On this point he hoped there would be no attempt to evade or shirk those positive engagements which the Crown of this country had entered into. He trusted, in the next place, that if there was any danger to the peace of Europe the whole influence of Great Britain would be exercised for the purpose of preserving that peace. There could be no disturbance of the peace of Europe, without the infliction of great evils on this country. It was not only that trade would suffer, but also the social happiness, the progress of liberty, and the advance of arts and civilization would be endangered. A great man, who had great influence—and ought to have great influence—in the councils of Germany, had declared that it was necessary for the Empire to have a standing army of 400,000. He did not require the noble Earl (the Earl of Derby) to give him any information which would be injurious to the public service, but he thought the subject was one of such interest to Parliament and the country, that any information the noble Earl could give, and which would enable the country to form an opinion, so as to prepare for coming events, would be very valuable at the present time. The noble Earl then moved for the Papers.

*Moved*, That an humble Address be presented to Her Majesty for, Copies of any correspondence relating to the maintenance of the Peace of Europe with the Governments of the Emperor of Germany, the Emperor of Austria, the Emperor of Russia, and the French Republic which can be communicated without injury to the public service.—(*The Earl Russell.*)

THE EARL OF DERBY: My Lords, the tone and language of the noble Earl who has moved for Papers are of themselves sufficient to convince the Government that he did not introduce the subject in any hostile spirit; and I am ready to admit that no subject could be more worthy the attention of your Lordships; and I know no Member of your Lordships' House who is more justly entitled to bring it under your Lordships' notice than the noble Earl. But, beyond that, I am sure your Lordships will feel that the inquiry which has been addressed to me is one which involves questions of the gravest and most momentous interest. It is an inquiry to which it is very difficult to reply in general terms, lest language might be used which might lead to misapprehensions outside your Lordships' House. Speaking—as I am bound to do here—under a sense of responsibility, and with the recollection that every word which I may utter will be repeated in other countries, I can reply to the noble Earl's Question only in the most general terms. The noble Earl asks me whether we are to regard the agitation which we now see in Europe as only a result of past wars—as only the swell left by storms that have passed; or whether we are to regard it as an indication of new storms that are about to break. My Lords, if I am to answer that question, however generally, I can only do so by distinguishing between the more immediate and the more remote future. If I look to more remote events—and events pass quickly in these days—I do not think it would be fair, or that it would be right or honest, for me or any one in my position, to deny that in the present appearances there may be ground for apprehension and anxiety. I do not say that on any peculiar or official information: it is a conclusion founded on information common to the whole world. We must all bear in our recollections the events that happened four years ago. We know the feelings they have left in the minds of two great populations, and which, as

those populations are composed of human beings, it was impossible but they should have left. We know that among the population of France there is a very general and wide-spread desire to regain that territory which they lost by the fortune of war; and, on the other side, there is an equally strong determination to retain that which has been acquired. Now, that is a condition of things which is known to every one, and in referring to it I am merely reminding your Lordships of circumstances of which you are aware. It may be said that there is no use in trying to prevent what is inevitable, and that do what we may war will come sooner or later. I think it was Mr. Canning who, in reply to a person who made a similar remark to him, said—"Well, if it is to come sooner or later, I should prefer that it should be rather later than sooner." Obviously there is the possibility that with time feelings of agitation will subside in men's minds, and that, therefore, there is, as years go on, a greater chance of the preservation of peace. I think, however, your Lordships will be of opinion that I would be doing a very rash thing if I ventured to predict what may happen in some years to come. But with all that feeling of uncertainty I must say that if I may judge from all the information I receive—from the general tone and spirit of the communications which reach me from all parts of Europe—so far as immediate appearances go, there is no serious cause for apprehension of any present disturbance of the peace of Europe. I now come to the other Question which the noble Earl has addressed to me. The noble Earl asks, in the event of the dangers of war becoming more imminent, what should we do to preserve the peace? Now, my Lords, that is an inquiry which cannot be answered in any very definite terms; but I think there cannot be any doubt that without embroiling ourselves in a quarrel to which we were not a party, we should leave no reasonable endeavour untried to preserve peace. The noble Earl asks whether we shall adhere to our International Treaty engagements. I do not think there will be much doubt in the minds of your Lordships as to the answer which I shall feel it my duty to give to that Question. If for any reason an International Treaty or engagement becomes inapplicable to the circum-

stances of the time, it may be the duty of the Government concerned to state that to the other parties to the Treaty; but if you accept the obligations of a Treaty, and give the other parties interested reason to believe that you consider them binding, you are bound in honour and good faith to maintain them. It is well known that England has even of late years entered into Treaties imposing grave obligations; and I do not hesitate to say that we regard them as binding in honour and good faith. As regards the Papers for which the noble Earl has asked, I have looked through them, and I do not find in the Correspondence anything of such a character as would prevent them from being laid on the Table at the present time, so far as the Government of this country alone is concerned. We have no reason for withholding them; but there are the interests of other Governments to be regarded, and we are bound to respect the confidence which they repose in us. If there are any Papers of the nature referred to by the noble Earl which can be laid on the Table without inconvenience to the public service, I shall be happy to produce them.

*Motion (by leave of the House) withdrawn.*

#### THE TREATY OF WASHINGTON— OREGON BOUNDARY—THE FENIAN RAIDS.—QUESTION.

EARL RUSSELL said, he had also given Notice to move for—

“Any further Instructions given to Her Majesty's Envoy to the United States of America, explanatory of the Treaty of 1846, relating to the Oregon Boundary; and also an account of all compensations received for the injuries to person and property inflicted by Fenians from the United States upon Her Majesty's subjects in Canada.”

The noble Earl said, he could not but observe that, in the negotiations for the Treaty of Washington, wherever we demanded, and had a right to demand, redress, we did not obtain it. It was so with regard to the Fenian incursions which took place into Canada, in the course of which farms were pillaged and great injury done to property, and the lives and families of many of the colonists were sacrificed, and yet when redress was asked for, the only answer was that the United States' Government

had given their representatives no instructions to answer that demand. So, again, with regard to the passage through the Straits by San Juan, there were two channels suggested, both of which were quite against the words and spirit of the Treaty. He believed that what Baron Hübner said was really the fact, and that in these proceedings our Government had tarnished the national honour, lowered the national character, and sacrificed the national interest. He found that the opinion of the people of England entirely agreed with what he had on repeated occasions urged upon the House, and at the last General Election the decision of the nation in the ultimate court of appeal, the constituent bodies of this country, had condemned the Treaty of Washington. It was the opinion of Lord Lyons that this question ought to have been left undisturbed; and he (Earl Russell) thought so too. The people of England at the late Election having really decided the question, he felt it unnecessary to move for any further Papers; and he hoped that what had been done in the making of that Treaty would never be repeated. It was said, indeed, that redress was afforded to Canada by the guaranteed loan for the Canadian Railway; but he confessed that he was ashamed of that proposal, for he thought that a money compensation should have been given to those who were injured and who had their property destroyed. He hoped that there would be no repetition of such a sacrifice of the interests of the people of this country. We ought to risk everything in future negotiations rather than that England should not stand on equal terms with any other country in the world, and the Government of England ought, at all risks, to uphold her honour.

#### ENDOWED SCHOOLS — SCHEME FOR ELLSWORTH'S CHARITY.

MOTION FOR AN ADDRESS.

THE BISHOP OF BATH AND WELLS moved an Address, praying Her Majesty to refuse Her assent to the scheme of the Endowed Schools Commissioners for the management of the charity established under the will of Richard Ellsworth, for the benefit of the parishes of Timberscombe and Cutcombe and



adjacent parishes in the county of Somerset. The Founder, Richard Ellsworth, lived in the reign of Queen Anne; and by his will, which was made in 1714, left a number of small legacies for educational purposes in the parishes named. The Founder was evidently a man of great piety, and it would be evident from a perusal of his will that it evidenced two leading motives—one the strong love of the testator for Timberscombe, and the other his great love for the Church of England. The trustees were to be the incumbents; directions were contained in the will for the use of catechisms in the schools, and the educational books, for which he left bequests, were to be chosen by the Bishop. It seemed to be the design of the Endowed School Commissioners to take away every sixpence from the parish of Timberscombe and its adjoining villages. The bequest of £50 a-year was to be taken away. They would then possess board schools, supported by rates; but there could be no religious education—as the testator plainly desired—in these schools. The charity had been unfortunate. It had in the course of time met with two calamities from defaulting trustees and the Court of Chancery, where it once remained for a period of 25 years. During those years the funds increased to the amount of £7,626. Now came this scheme dealing with those funds and the charity, and if it should be carried out very great injury would, as he conceived, be done to those parishes. The trustees had appealed against the scheme, but they had been unsuccessful. The facts were these:—There were eleven trustees, and six were actually against the scheme; but at a meeting which took place only nine attended, and of these, four were for the scheme, two against it, and three did not vote; consequently, it appeared on the appeal that there was a majority for the scheme. He was not actuated by any narrow or illiberal motive whatever, nor did he oppose the scheme out of any dislike to the Commissioners, for he thought that many of their schemes were excellent. He wished for more of these funds to be given to the two parishes mentioned, in the great hope that education would be stimulated, and the benefits arising therefrom would be diffused amongst all the people of the parishes.

*The Bishop of Bath and Wells*

*Moved that an humble Address be presented to Her Majesty, praying Her Majesty to refuse her assent to the scheme of the Endowed Schools Commissioners for the management of the charity established under the Will of Richard Ellsworth for the benefit of the parishes of Timberscombe and Cutcombe and adjacent parishes in the county of Somerset.—(The Lord Bishop of Bath and Wells.)*

LORD LYTTTELTON said, that as he understood, the noble Duke the Lord President of the Council was disposed to allow the objection against this scheme, and therefore he had not much encouragement to uphold it. Moreover, as the working of the Commission might be considered as, at present, in a transitional state, it was, perhaps, natural that this scheme should stand over. He was bound to acknowledge the consideration the noble Duke and Lord Sandon had given to such of the Commissioners' schemes as had been brought before them. Since their accession to office, he doubted whether, if the noble Marquess (the Marquess of Salisbury) had been placed at the head of the Department, one out of twenty of those schemes would have been allowed to pass. In reference to a remark of the right rev. Prelate, he must say that if the Endowed Schools Commissioners were to be bound to adhere to the exact purposes of the founders, except in the extreme cases of the destruction of whole villages, or the desertion of the villagers to nonconformity, there would be little occasion for the services of the Commissioners—there would be no need to go beyond the old system of the Court of Chancery. In this case the Commissioners had endeavoured to extend the area of the endowment, and to make it applicable to a great many contiguous parishes. The charity had been of no benefit whatsoever for the purposes of education except to Timberscombe and Cutcombe and one or two other small places; and as regarded Timberscombe and Cutcombe, the schools were the worst in the county, and the school buildings had fallen into a state of dilapidation and ruin. Bishop Chapman, who was at present one of the official trustees, had written a letter stating that it was most lamentable to see how this endowment had been wasted. The right rev. Prelate had stated that there would not be left to Timberscombe one farthing of annual endowment, and that the trustees had

appealed. Now, he (Lord Lyttelton) was not aware that the trustees had appealed; but he knew that there had been two distinct Votes of the trustees in favour of the scheme. The Commissioners proposed to allow sufficient sums of money for putting the school buildings into good condition; they had left £10 a-year for the poor of Timberscombe, and given that parish a preferential right to exhibitions; and they assigned funds for the encouragement of education in several places in the locality. In addition to that, they had allotted a sum for a higher class school to be erected at Minehead. The elementary schools would come under proper inspection, and would obtain the Government grants. The Commissioners had acted strictly according to the Preamble of the statute, which directed them to promote education amongst all classes in the localities in question by means of endowments. It would be a question for the Government to discuss, when they came to consider the prolongation of the Commission, whether they should ask Parliament to grant greater powers to the Commissioners than they at present possessed, or whether they should give a greater power to the Education Department to amend what the Commissioners should recommend. In conclusion, he would submit that the present scheme deserved their Lordships' approval.

THE BISHOP OF BATH AND WELLS explained that there was an appeal to the Privy Council, that four of the trustees signed the appeal, and that two others gave their assent to it—making six out of the 11 trustees.

THE DUKE OF RICHMOND said, he did not object to the general outline of this scheme; but he thought that, as a scheme, it ought not to be agreed to, because the Commissioners had not carried out the details in a proper manner. He thanked the noble Baron (Lord Lyttelton) for the manner in which he had been pleased to express himself in regard to other schemes which had come under his notice; but after the reference made to himself and the noble Marquess near him (the Marquess of Salisbury), he would go through those schemes again with more care, because he might have erred in the views which he had formed of them. It appeared to him that their Lordships should put them-

selves in the position of the testator, and ask what he would have done if he had been alive at the present moment—looking at this surplus charity, had the Commissioners dealt with it in the way in which the testator would have disposed of it? The testator's main object evidently was to benefit Timberscombe and Cutcombe, and to give to the children of those parishes the advantages of a religious education. He (the Duke of Richmond) was not one of those who thought that free education was always of benefit to the locality that was entitled to it; for his experience was that the poorer classes did not value much that for which they paid nothing; and therefore he should be sorry to sanction a scheme which would give to Timberscombe and Cutcombe an entirely free education. The noble Baron (Lord Lyttelton) said there had been no objection to the scheme. Well, Minehead would not object, for the Commissioners proposed to allot £1,500 to that place for the erection of suitable buildings for a higher class school; and, in addition to that, £100 a-year for the maintenance of the school. But with so large a sum of money to dispose of, he did not see why more should not be done for Timberscombe—the place that Mr. Ellsworth chiefly desired to benefit. He did not see why both Timberscombe and Cutcombe should not receive larger benefits than were proposed by this scheme. The former was to get a sum of money down, for the purpose of carrying out repairs of the schoolhouse; but there was no sum set apart for the regular maintenance of the school. It might very well happen that after the building had been put into a proper condition, there would not be sufficient money found in the parish to carry on the schools in accordance with the rules laid down by the Education Department; and it might, in consequence, become necessary to establish school boards in the parish. The result of this state of things would be that the parish would not enjoy that religious education which it had been the chief object of Mr. Ellsworth to impart. He did not object to the scheme as a whole, but was of opinion that too little was given under it to Timberscombe and Cutcombe. In this respect it did not seem to him to carry out the views of the testator. That was why he objected to this scheme. Parliament could not amend it, and there-

fore he was obliged to support its rejection.

THE EARL OF DEVON said, he quite agreed that they ought to consider what the testator would have done if he had now been alive, and he thought that he would have agreed to the scheme which the Endowed Schools Commissioners had framed. Both Timberscombe and Cutcombe would be materially benefited by it. They would both receive grants—the former £150, the latter £400—towards erecting their new schools. Moreover, there would be a considerable number of exhibitions founded, open to the competition of the children of several parishes. There being in the district a large number of small parishes, remote from large towns, it was much to be desired that the competition should not be restricted within narrow limits. Any child belonging to these parishes would be able to gain an exhibition, and would thus be able to push himself forward in the world. These exhibitions would tend to remedy what was an admitted defect in our elementary education, by preserving an intimate connection between schools of different grades. He did not agree with the view taken by the right rev. Prelate, that this scheme was an unjust one; on the contrary, looking at the great increase in the funds, he considered that it was a wise application of the doctrine of *cy près*, as the Commissioners had made the funds available for educational purposes over a considerably wider area, and he, moreover, thought that the right rev. Prelate, in objecting to the scheme that it was unjust to the Church of England, had overlooked the composition of the proposed Governing Body. He had given his best attention to the scheme, and he felt he could come to no other conclusion than that it ought to be supported.

LORD REDESDALE considered that the parishes referred to ought to have the full benefit of the charity—at least, to the extent required to exempt them from rating for primary education. Parliament had determined that schools of a higher class should not be aided by public rating, but to whatever extent a parish became liable to be rated for primary education by being deprived of an income properly belonging to it applicable to that purpose, it was practically rated for the school of a higher class, to the support of which the income

of which it had been robbed was devoted.

EARL FORTESCUE considered that the question was one of great importance, because of the principle involved, and its bearing upon the educational endowments of the country generally, so far as the working of the Commission was concerned. He thought the late Government had made a great mistake in acting upon a part only of the wise recommendations of the Schools Inquiry Commissioners—namely, that for the appointment of the Endowed Schools Commission. Those last Commissioners—not all of them judiciously selected—had begun with much too sweeping and rash proposals; and after being most properly defeated upon some of them in that House, had now gone into the opposite extreme, and had been of late adopting, under the pressure of local trustees, schemes incompatible with a sound and comprehensive policy. Neither Government nor Parliament was a desirable tribunal to decide questions of this kind. What was desirable was the establishment, in accordance with the wise Report of Lord Taunton's Commission, of provincial or county boards for considering, each in its own locality, the best application of the educational endowments there. Such bodies would, he contended, not only be able to prepare schemes with advantage for the sanction of the central authority, but also to reconcile the districts which would be affected by it to any of its provisions which might seem to be in conflict with their petty local interests.

THE MARQUESS OF RIPON pointed out that the scheme of the Commissioners would not take away all the endowments from the parishes in question, and that they furnished the means of obtaining exhibitions, to which he attached great importance. The effect, he maintained, of throwing out the scheme would be to continue for another year the exceedingly unsatisfactory state of things which now existed. It was not necessary to reject that scheme and delay the whole matter indefinitely merely for the purpose of effecting objects which might be attained through the action of the Charity Commissioners. With regard to the effect of the scheme on the interests of the Church of England, the education to be given under the scheme was distinctly to be in accordance with that

Church, and the provisions as to the appointment of Governors were such as would maintain the Church character of the endowment.

THE MARQUESS OF SALISBURY said, the principle on which the Government desired to look at the scheme was, in the first place, in the interest of Timberscombe, which it was the object of the founder to regard. By the scheme, Timberscombe was not to have what it had hitherto enjoyed—an annual revenue for the support of its school. The consequence might be that it would be driven to have a school board, and then it would no longer have education in the principles of the Church of England. Therefore, it appeared to him that the intentions of the Founder were disregarded, the interests of the ratepayers of Timberscombe unduly pressed upon, and the interests of the Church of England, as far as Timberscombe was concerned, entirely set aside. The effect of rejecting that scheme need not be to delay the matter for a whole year. A new scheme could be framed; and if there were no opposition, it would not require to be laid before Parliament, but might come into operation in about five months at the outside. Of course, if there was opposition to the amended scheme, it must be presumed there was some ground for that opposition until the contrary was declared. With regard to the suggestion that the scheme might be amended by the Charity Commissioners, there was something anomalous and unsatisfactory in the idea that the moment a scheme became law another authority was to be called into action to alter its provisions.

*Motion agreed to.*

#### ENDOWED SCHOOLS—(SCHEME FOR COMBE'S SCHOOL, CREWKERNE).

##### MOTION FOR AN ADDRESS.

THE BISHOP OF BATH AND WELLS moved an Address praying Her Majesty to refuse Her assent to the scheme of the Endowed Schools Commissioners for the management of the school founded by John de Combe, in the year 1499, at Crewkerne, in the county of Somerset. The right rev. Prelate said, that after what had just occurred, he need not trespass on their Lordships' attention beyond a very few moments. The Crew-

kerne Grammar School was a very excellent and admirable institution, which was doing a great deal of good in the town where it was situated, and it was and always had been a Church school. The scheme of the Endowed School Commissioners would have the effect of taking away the Church character of the School, although there was no grievance of any kind, no breach of trust, no waste of the funds; while there was a conscience clause under which the education was open to persons of all denominations, and the feelings subsisting between Churchmen and Dissenters in the place were very amicable.

*Moved* that an humble Address be presented to Her Majesty, praying Her Majesty to refuse her assent to the scheme of the Endowed Schools Commissioners for the management of the school founded by John de Combe in the year 1499, at Crewkerne in the county of Somerset.—(*The Lord Bishop of Bath and Wells.*)

LORD LYTTELTON contended that the Commissioners were bound by the Act to treat the school as one not connected with the Church of England. He was not aware that any of the Trustees or inhabitants objected to the scheme.

THE DUKE OF RICHMOND supported the Motion, on the ground that the scheme would convert the School, which had from time immemorial been in connection with the Church of England, into one which need not have such connection. It was true that the original trust deed had been lost, so that there was no absolute legal evidence of its connection with the Church; but the records which remained showed that the children had been taught the Church catechism. The management of the School had been so satisfactory, as reported by the Assistant Commissioners a few years ago, that the Commissioners need not have meddled with it, and he believed that had they dealt with it at a later period they would have inserted in this, as in another scheme, a Proviso that the religious instruction should be in accordance with the teaching of the Church of England. With such an Amendment he should be quite satisfied.

THE MARQUESS OF RIPON held that the Commissioners could not legally have treated the School as one coming under the 19th section of the Act. Even the Amendments proposed by Mr. Hardy in the Bill of last Session—Amendments which the noble Marquess (the Marquess



of Salisbury) announced would govern his consideration of any schemes this Session—would not have placed this School in a different category. While protesting against the precedent about to be created, he trusted to the fairness of the noble Duke, the Lord President, not to bind himself by that precedent, feeling sure that he would give a dispassionate attention to the circumstances of the various endowments which came before him.

*Motion agreed to.*

#### GAS AND WATER ORDERS CONFIRMATION BILL [H.L.]

A Bill for confirming certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Braintree and Bocking Gas, Brough Elloughton and District Gas, Chelmsford Gas, Dartford Gas, Guildford Gas, Harwich Gas, Lofthouse and District Gas, Retford Gas, Romford Gas, Sidmouth Gas, Sutton-in-Ashfield Gas, High Wycombe Water, Inverness Gas and Water, Maidstone Water—Was *presented* by The Lord DUNMORE; read 1<sup>a</sup>; and referred to the Examiners. (No. 52.)

#### LANDED PROPERTY (IRELAND) BILL [H.L.]

A Bill to amend the Acts facilitating the improvement of Landed Property in Ireland—Was *presented* by The Earl of BANDON; read 1<sup>a</sup>. (No. 53.)

House adjourned at half past Seven o'clock, 'till To-morrow, half past Ten o'clock.

### HOUSE OF COMMONS,

*Monday, 4th May, 1874.*

MINUTES.] — SELECT COMMITTEE — Dean Forest, Mr. George Clive and Mr. Goldney *added*.

SUPPLY—considered in Committee—Resolutions [April 30] reported.

PUBLIC BILLS—Resolutions in Committee—Ordered—First Reading—Ecclesiastical Offences [89]; Uniformity Acts Amendment \* [90].

Ordered—First Reading—Petty Sessions Courts (Ireland) \* [87].

First Reading—Customs and Inland Revenue \* [88].

Second Reading — (£13,000,000) Consolidated Fund \*.

Select Committee—Building Societies \* [55], Mr. Charles Lewis and Mr. Murphy *added*.

*The Marquess of Ripon*

#### CONTROVERTED ELECTIONS—STROUD AND DUDLEY.

MR. SPEAKER informed the House, that he had received from the Judges selected for the Trial of Election Petitions, pursuant to the Parliamentary Elections Act, 1868, Certificates and a Report for the Borough of Stroud; and for the Borough of Dudley. And the same were severally read.

Stroud Election,—Mr. Baron Bramwell reported—

“A Petition, under the Parliamentary Elections Act, 1868, complaining of the Return and Election of Sebastian Stewart Dickinson, esqre., and Walter John Stanton, esqre., for the Borough of Stroud, at the last general Election, having been duly presented, has been heard before me. On the 30th instant I determined that the persons whose Return and Election were so complained of were not duly returned nor elected, and now certify such determination to you according to the statute. And I report that the said Messrs. Stanton and Dickinson were guilty, by their agents, of treating at the Election complained of. I further report that corrupt practice has not been proved to have been committed with knowledge or consent of any Candidate at such Election. There was evidence before me to show that many persons were guilty of corrupt practices at the Election.”

The Election Judge further reported as to alleged corrupt practices, treating, and the absconding of certain Persons.

Dudley Election,—Mr. Justice Grove reported his decision in the matter of the Election Petition for the Borough of Dudley, between Benjamin Hingley, Edward Bowen, Josiah Robinson, and Thomas Foxall, Petitioners, and Henry Brinsley Sheridan, Respondent, as follows:—

“I certify that at the conclusion of the said trial I determined that the said Henry Brinsley Sheridan, whose Election and Return were complained of in the said Petition, was not duly elected or returned, and that the Election was void, on the ground that, in consequence of large tumultuous assemblages of persons armed, of serious riots, and grave assaults upon individuals, a large number of voters were intimidated, and prevented and deterred from exercising the franchise, and that the said Election was not a free one; and I do hereby certify in writing such my determination to you.”

#### LICENSING ACT—THE CRYSTAL PALACE.—QUESTION.

SIR WILFRID LAWSON asked the Secretary of State for the Home Department, Whether the Inland Revenue authorities, after being apprised that the Crystal Palace Directors were disqualified by special Act of Parliament from selling distilled spirits in the palace and grounds, have granted to them a licence for that purpose; and, if this be the case, whether he intends to take any steps for the vindication of the Law?

MR. ASSHETON CROSS, in reply, said, that he had inquired into the sub-

ject and found that the licence had been obtained by the directors in the usual manner—namely, on the certificate of the licensing justices. The Inland Board of Revenue had been advised that the certificate was imperative upon them, and that they had no power to interfere with the discretion of the licensing justices in granting it.

#### JUDICATURE ACT—IRISH AND SCOTCH APPEALS.—QUESTION.

SIR GEORGE BOWYER asked the First Lord of the Treasury, Whether he is aware that the unanimous opinion of the Irish Judges, both of Law and Equity, is against the abolition of the appellate jurisdiction of the House of Lords and the transfer of Irish Appeals to the new Appellate Court, and that the opinion of the Scotch Judges is the same as regards Scotland; whether Her Majesty's Government intends to defer to such authoritative dissent so far as not to extend the Judicature Act to Ireland and Scotland as regards Appeals; and, whether under these circumstances Her Majesty's Government will take into consideration the advisability of deferring the operation of or amending the Act in this respect as regards England?

MR. DISRAELI: I am not aware, Sir, of any of the circumstances to which the Question of the hon. Baronet refers. I have received no representation from the Irish Judges of the kind which he intimates, nor has the Lord Chancellor; and I have the best authority for saying that no representation of that character has been received from the Scotch Judges. Therefore, under those circumstances, the rest of the inquiry of the hon. Baronet—"whether Her Majesty's Government intends to defer to such authoritative dissent so far as not to extend the Judicature Act to Ireland and Scotland as regards Appeals"—naturally falls to the ground.

#### CONTROVERTED ELECTIONS (IRELAND)—MR. JUSTICE LAWSON.

##### QUESTION.

SIR COLMAN O'LOGHLEN asked the First Lord of the Treasury, Whether the statement in the public prints that the Petition against the Return of Mr. O'Donnell, one of the Members for the

borough of Galway, has been set down for trial at Galway on the 18th of May, before Mr. Justice Lawson, one of the Lords Commissioners of the Great Seal in Ireland, be correct; whether the office of Lord Commissioner of the Great Seal in Great Britain and in Ireland is not an office held at the pleasure of the Crown; and, whether he considers it proper and constitutional that a Judge should act as an Election Judge while holding an office at the pleasure of the Crown, an Election Judge being empowered by statute to decide, without appeal, on the right of Members petitioned against to retain their seats in this House?

MR. DISRAELI: Sir, a Lord Commissioner of the Great Seal does not cease to be a Common Law Judge because he acts in Equity; and, therefore, he is liable to perform his duties as a Common Law Judge. There is no salary whatever attaching to the office of Lord High Commissioner of the Great Seal, and therefore I do consider it proper that he should act as an Election Judge under these circumstances.

SIR COLMAN O'LOGHLEN: I beg to give Notice that on going into Committee of Supply on Thursday, I shall call the attention of the House to the right hon. Gentleman's answer, and move a Resolution.

#### POST OFFICE SERVANTS—SALARIES. QUESTION.

MR. ROEBUCK asked Mr. Chancellor of the Exchequer, a Question on the subject of the grievances of the Post Office servants.

THE CHANCELLOR OF THE EXCHEQUER: Sir, much public interest has been excited with respect to the persons employed in the service of the Post Office, and I am not surprised that the hon. and learned Gentleman, who has such an interest in the matter, should have put this Question. I can only say at present that the subject is one which is attracting the serious attention of the Government; that communications are now going on between the Postmaster General and the Treasury with respect to the rates of pay of the Post Office servants in various parts of the country; and that the representations on the subject are receiving very careful consideration from the Treasury. In one or two

instances we have already intimated to the Postmaster General that we shall be prepared to grant additions to the rates of pay in the case of certain Post Offices; other representations are under consideration, and will shortly be answered, I hope, in a manner that may be considered satisfactory, while consistent with our view of the public interests. Under those circumstances, it would not be necessary to appoint a Commission. We think it a matter which ought to be dealt with by the Government, and we are dealing with it on our own responsibility. With regard to a Committee of the House, it would be only a loss of time to appoint one, and put off what I think will be a satisfactory arrangement. The Government, therefore, looking to the consideration that measures of a more pressing character have to be dealt with, would not feel able to give encouragement to the appointment of either a Commission or a Committee.

#### THE DIPLOMATIC SERVICE—THE MISSION AT BERNE.

##### QUESTION.

SIR HENRY WOLFF asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have reduced the rank of the head of the Mission at Berne to that of a *Chargé d'Affaires*; whether the French Government have raised the representative of France at that capital to the rank of an Ambassador; what is the diplomatic rank of the representatives at Berne of other Powers guarantors of the neutrality of Switzerland; and, whether, in case the reduction has taken place in Switzerland, it is proposed to apply a similar reduction to Her Majesty's Missions in Belgium and Greece, the neutrality of which Countries is also guaranteed?

MR. BOURKE: Sir, the rank and title of the future head of the Mission at Berne will be that of Minister Resident and not of *Chargé d'Affaires*. The Swiss Government have no diplomatic representative in this country. The French Government, on the appointment of Count Chaudordy, raised their representative at Berne to the rank of Ambassador. With regard to the other Powers referred to, Germany, Austria, Russia, and Portugal have each at Berne an Envoy Extraordinary and Minister Pleni-

potentiary. Spain has a Minister Resident, Sweden a Consul General at both Geneva and Berne; and no Mission at Berne. There is no intention on the part of Her Majesty's Government to make any change with regard to the Missions in Belgium and Greece.

#### THE WELLINGTON MONUMENT.

##### QUESTION.

MR. GOLDSMID asked the First Commissioner of Works, What steps he proposes to take with regard to the non-fulfilment of the contract entered into two years ago by Mr. Collman the upholsterer for the completion of the Wellington monument?

LORD HENRY LENNOX: I believe, Sir, the hon. Member for Rochester was not in his place the other evening when the Committee of Supply voted the sum of £500 towards the completion of this long delayed Wellington Monument. At the same time, I asked for and obtained a vote of confidence while I renewed negotiations with Mr. Stevens and with the gentleman to whom the late Treasury entrusted the carrying on of this work. I pledged myself then, and I renew the pledge now, that before the end of the Session, I will let hon. Members know whether my efforts have been successful or not. Under those circumstances, I hope neither the House nor the hon. Member will deem me guilty of discourtesy if, at the present time, I refrain from giving any more definite answer to this Question.

MR. GOLDSMID said, he would, on a future occasion, call attention to the subject.

#### THE DIPLOMATIC SERVICE—THE CAIRO CONSULSHIP—EGYPT.

##### QUESTION.

MR. GOLDSMID asked the Under Secretary of State for Foreign Affairs, Whether the report is correct that the office of Consul at Cairo, which has hitherto been so ably filled by Mr. Rogers, has been abolished; and, if it has, upon what ground has the abolition taken place, and how the Government proposes to avail itself in future of Mr. Rogers's services?

MR. BOURKE: Sir, it was decided some months ago by the late Government to abolish the office of Consul at Cairo. Notice to that effect was given

to the Consul, and in his place a legal Vice-Consul is to be appointed. The abolition was determined upon in consequence of a recommendation of the Committee of the House of Commons, and I am happy to say that Her Majesty's Government still hope to have an opportunity of availing themselves of Mr. Rogers's valuable services in the Consular Service.

#### SANITARY ACTS—POLLUTED WATER. QUESTION.

MR. A. H. BROWN asked the President of the Local Government Board, Whether there is any power in the hands of any rural sanitary authority to close or prevent the inhabitants of such sanitary district from using the water from any wells or streams when they are found by the Medical Officer of Health or Inspector of Nuisances, to be polluted by sewage or other deleterious matter?

MR. SCLATER - BOOTH: In the case, Sir, of wells or water supplies of a public character, it is in the power of the sanitary authority to prevent the use of polluted water, but in the case of private wells there is no such power. This, with many other points arising under the Sanitary Acts, has been recently under my consideration, with a view to some amendment of the Law, and I hope shortly to be able to make some proposals on the subject.

#### CUSTOMS WRITERS—SALARIES. QUESTION.

MR. PEASE asked Mr. Chancellor of the Exchequer, Whether those Writers in the Customs who were appointed previously to the 19th August 1871, have had restored to them the rates of payment they enjoyed previously to the passing of the Order in Council of that date, and on which they entered the Service?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that these writers had not had restored to them the rate of payment which they enjoyed previously to the passing of the Order in Council referred to. That was one of the subjects to which the attention of the Commission which was now about to sit, and over which the right hon. Gentleman the Member for the University of Edin-

burgh (Mr. Lyon Playfair) had kindly consented to preside, had been specially directed.

#### COST OF THE COLONIES—RETURN. QUESTION.

MR. MELLOR asked the Under Secretary of State for the Colonies, When the Return relating to the cost of the several Colonies of the British Empire, for the years 1869-70, 1870-71, 1871-2, and 1872-3, which was moved for on the 17th July 1873, will be presented?

MR. J. LOWTHER: Sir, the preparation of the Return is a work of considerable difficulty, and particulars have yet to be received from several Departments. All possible dispatch will be used, but it is not at present possible to say how soon the Return can be presented.

#### BANK HOLIDAYS ACT—THE CUSTOMS. QUESTION.

MR. RITCHIE asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government have arrived at any conclusion with reference to extending the benefit of the Bank Holidays to the employés in the Customs Department and to others who are at present unable to take advantage of them; and, if a conclusion favourable to such extension has been arrived at, what steps Her Majesty's Government propose to take for the purpose of carrying it into effect?

THE CHANCELLOR OF THE EXCHEQUER: Sir, holidays in the Customs are regulated by Act of Parliament, which closes docks throughout the Kingdom on the days on which Custom Houses are ordered to be closed. It will be impossible to extend Bank holidays to all the *employés* in the Customs without fresh legislation. We find it will be difficult to legislate on this subject, and all we can do is to give instructions to the superintendents to allow as many as possible of the Custom House Officers to take advantage of the Bank holidays.

#### NAVY—ADMIRALTY SURGEONS— MEDICAL OFFICERS' LIST.

##### QUESTION.

MR. ALDERMAN W. M'ARTHUR asked the First Lord of the Admiralty,



If, after the statement made by him as to the reduced state of the Medical Officers List, which is being daily diminished by resignations (five surgeons having resigned since the 1st April), he is prepared to take any steps to remedy such a state of affairs?

MR. HUNT: The matter, Sir, to which the Question relates, is being very carefully considered at the Admiralty.

ELEMENTARY EDUCATION ACT—  
EVENING SCHOOLS.—QUESTION.

MR. DALRYMPLE asked the Vice President of the Council, Whether his attention has been called to the discouragement offered to Evening Schools throughout the country by the high standards required by the Code, and to the gradual diminution of the number of such Schools?

VISCOUNT SANDON: Sir, I am not prepared at present, without further inquiry and consideration, to give an opinion as to whether discouragement has been offered to evening schools by the New Code. Considering the great interest which my hon. Friend has always shown in these schools, I am not at all surprised that he should be startled by the fact that while the average attendance at evening schools in 1870 was 73,300, the average attendance in 1873 fell to 45,900; and I think he is very right in taking notice of these figures. Without giving any opinion on this important Question, I can assure him that the subject has not escaped my observation, and that it will receive the best attention of the Lord President and myself.

ORDNANCE SURVEY—MERIONETH.  
QUESTION.

MR. HOLLAND asked the First Commissioner of Works, Whether there is any probability of the Government Survey of the county of Merioneth being completed soon, and when?

LORD HENRY LENNOX, in reply, said, owing to the small sum of money placed at his disposal for the prosecution of the Ordnance Survey, he was afraid he could not hold out any hope that the survey of the county of Merioneth would be soon completed.

*Mr. Alderman W. M. Arthur*

THE STRAITS SETTLEMENTS.

QUESTIONS.

GENERAL SIR GEORGE BALFOUR asked the Under Secretary of State for the Colonies, If not inconvenient to the public interests, to lay upon the Table of the House the whole of the Correspondence relating to the late important arrangements made by Colonel Sir Andrew Clarke, Governor of the Straits of Malacca, by which the Government of the Straits becomes the controlling authority over the Chinese and Malay population at Perak; what measures the Colonial Office have taken to supply efficient assistants to the Governor of the Straits by selecting officers well acquainted with the Malay language, and probably procurable in India from amongst the officers of the Indian Army who have been stationed in the Straits settlements; and, whether, having regard to the large Chinese population in the Malay Peninsula, and yearly on the increase by emigrants from China, the Foreign Office could, on the application of the Colonial Office, supply some officers from the China Consular service acquainted with the Chinese language for employment under the Governor of the Straits?

MR. J. LOWTHER: Sir, the Government are awaiting further information before arriving at any decision with respect to Sir Andrew Clarke's proposals for the appointment of a British Resident in Perak, and pending their confirmation by this Government his arrangements are altogether provisional. As soon as the Correspondence is sufficiently complete it will be laid before Parliament. If there should be any deficiency in the Straits Settlements of officers speaking Malay or Chinese, the sources indicated by the hon. Member—officers of the Indian Army who have been stationed in the Straits Settlements and officers of the China Consular Service—can be resorted to. The present system, however, of nomination and competitive examination, by which cadets are appointed in this country, whose confirmation as permanent officers of the Colonial Government depends upon their passing a subsequent examination in a native language, has up to this time proved sufficient for the purpose.

## ACHEEN—TREATY OF 1819.

## QUESTION.

MR. KINNAIRD asked the First Lord of the Treasury, Whether, regard being had to the continued hostilities carried on by the Government of the Netherlands against the Sultan of Acheen, any, and if so what, steps have been taken to carry out the obligations contracted by England towards Acheen under the Treaty of 1819?

MR. DISRAELI: Sir, the Question refers to many complicated transactions. I need only say at present, with reference to the Treaty of 1819 with the Sultan of Acheen, that we are of opinion that under the 1st Article of the Treaty of 1871 between Her Majesty and the King of the Netherlands, it would be morally impossible for us to interfere in that country under existing circumstances.

## INLAND REVENUE ACT—GRAIN FOR CATTLE—GERMINATION OF GRAIN.

## QUESTION.

MR. POWER asked Mr. Chancellor of the Exchequer, Whether there is any objection to extend to Ireland the Clauses of the Inland Revenue Act, 33 and 34 Vic., c. 32, allowing the germination of grain for feeding purposes for cattle?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I understand that when this permission was given it was not extended to Ireland; partly because it was supposed there was not the same demand for the germination of grain or malt for feeding cattle in Ireland, in consequence of the abundance of green crops; and partly because, on the other hand, it was feared it would be difficult to prevent illicit distillation in Ireland, as the facilities for carrying it on are greater than in England. I will have the matter inquired into again, to see whether it is possible to extend the clauses of the Act to Ireland.

## COMPULSORY VACCINATION ACT—VACCINE LYMPH.—QUESTION.

MR. MELDON asked the Secretary of State for the Home Department, Whether it is true that vaccine lymph is supplied gratuitously to registered medical practitioners in Great Britain by the

medical officer of the Privy Council; whether it is true that until recently lymph was also supplied gratuitously to registered medical practitioners in Ireland, but that now all applications are refused and applicants referred to the Cow Pock Institution, where lymph can only be acquired by purchase; whether the attention of the Government has been called to the fact that since this change the mortality from small-pox has been much increased; and, whether there is any objection to allow the Irish Medical Practitioners the same facility for obtaining vaccine lymph as is enjoyed by their English and Scotch brethren?

SIR MICHAEL HICKS-BEACH: Sir, it is true that vaccine lymph is supplied gratuitously to registered medical practitioners in Great Britain by the medical officer of the Local Government Board. It was also supplied gratuitously in the same way to registered medical practitioners in Ireland until August, 1871; but the main source of supply had been the Dublin Cow Pock Institution, which received an annual grant of £400 for Ireland alone, and supplemented this fund by the sale of the lymph to persons applying for it, and by getting subscriptions from unions and dispensary districts. Since January, 1864, when the Compulsory Vaccination Act came into operation, the medical officers of dispensaries, who are the public vaccinators throughout Ireland, have for the most part derived their supplies from other sources—that is to say, they have vaccinated, as far as practicable, from arm to arm, and have stored lymph for future use in Husband's capillary tubes, which are provided for them by the guardians. So that Ireland was not to any great extent dependent on London for a supply of vaccine lymph when the gratuitous supply was withdrawn by the Privy Council in 1871. It is true that an epidemic of small-pox prevailed to a considerable extent at that time, but although it increased subsequently, yet it decreased in 1873 to the extent of one-sixth of the cases of the previous year, and it is still decreasing. I will, however, undertake carefully to consider whether it is possible to allow Irish medical practitioners the same facilities for obtaining a gratuitous supply of vaccine lymph as are enjoyed in England.

METROPOLIS—THE ABBEY AND  
PALACE AT WESTMINSTER.

QUESTION.

MR. W. M. TORRENS asked the First Commissioner of Works, Whether any steps are about being taken further to secure from the danger of fire the Abbey and Palace of Westminster, by the removal of houses in close proximity to those edifices?

LORD HENRY LENNOX: It is true, Sir, that the houses alluded to by the hon. Member for Finsbury—namely, those in Abingdon Street and Poet's Corner—were condemned by the Report of a Royal Commission which sat some eight years ago. Their removal, however, as far as I can ascertain, was not advocated from any fear of danger to the Houses of Parliament from fire, and the Government have no intention at the present time of pulling down those houses. I may mention to the hon. Member that, while the houses at Poet's Corner are not within 200 feet, there are houses only 90 feet from the Victoria Tower. I may, however, tell the hon. Member that I have now under consideration the question of a general fire service with a constant supply of water and under adequate pressure, which would command all the public buildings in the vicinity of Westminster. This service would be in connection with the water supply in St. James's Park, the Serpentine, and Kensington Gardens. The safety of Westminster Abbey, as the hon. Member probably knows, does not rest with my Department, and I fancy it is to the Dean and Chapter the hon. Member should address himself as to the measures which have been taken for the protection of the Abbey.

IRELAND—PRESERVATION OF  
ANCIENT MONUMENTS.—QUESTION.

MR. MITCHELL HENRY asked the Chief Secretary for Ireland, What Ancient Churches, Round Towers, and other remains have been constituted National Monuments under the twenty-fifth section of the Irish Church Act, and what funds have been appropriated by the Commissioners for their preservation?

SIR MICHAEL HICKS-BEACH: Sir, the ecclesiastical ruins on the Rock of Cashel are the only ancient remains

which have been as yet constituted national monuments under the 25th section of the Irish Church Act. For their preservation a sum of £7,100 has been lodged by the Church Temporalities Commissioners to the credit of the Board of Public Works in Ireland, and that Board has invested the amount in Government funds. The Church Temporalities Commissioners have communicated their intention to vest in the Board of Works for maintenance, under the 25th section, with a view to their preservation—1, all the ruins of ecclesiastical buildings standing in the valley of Glendalough, County Wicklow; 2, Killamery stone cross; County Kilkenny; 3, two stone crosses at Kilkispean; 4, stone cross at Kilkeeran; 5, Donaghmore stone cross, County Tyrone; 6, Donaghmore Round Tower and Church, County Meath; 7, Gallerns Church, County Kerry; 8, Killala round tower, County Mayo; 9, Ardfert Cathedral and ruins of two churches in the same enclosure, County Kerry; 10, Ardmore Cathedral, round tower, and St. Declan's tomb, in the same enclosure, County Waterford; 11, Devenish round tower and church, County Fermanagh; 12, Monasterboice Church, round tower, and three crosses, County Louth; and 13, St. Columb House, Kells, County Meath.

WEST AFRICAN SETTLEMENTS.

RESOLUTION.

MR. DISRAELI moved that the Orders of the Day and the first two Notices of Motions be postponed till after the Notice of Motion relating to the Gold Coast.

*Motion agreed to.*

MR. HANBURY, in moving—

“That this House is of opinion that, in the interests of civilization and commerce, it would not now be desirable to withdraw from the administration of the affairs of the Gold Coast,”

said, that as this was the same Resolution that he had moved on the Motion to go into Committee of Supply, and which had been since withdrawn in order that it might be resumed as an independent Motion, he did not propose now to repeat any of the reasons which induced him to press it upon the attention of the House. He therefore hoped if, at a later period of the evening, he should be called upon to reply, the

House would take into consideration the self-restraint he was now exercising, and allow him a fair opportunity of meeting any objections that might be made to the Motion. He would now merely move the Resolution of which he had given Notice.

MR. ARTHUR MILLS, in seconding the Motion, said, that while agreeing entirely with his hon. Friend the Member for Tamworth (Mr. Hanbury) that the Government was inextricably involved in the responsibilities they had assumed on the Gold Coast, he could not but think that people out-of-doors rather seriously under-rated the difficulties of the position. No doubt they were very proud of the achievements of Sir Garnet Wolseley, and the foresight and courage which had been displayed by his officers and men; but they were rather in danger of forgetting the lessons of the past, and of greatly under-rating the perils of the future. It might be said Sir Garnet Wolseley had crushed these Ashantees, and nothing more would be heard of them; but history repeated itself. So it was said some half-century ago. After a successful campaign in 1826 it was said the Ashantees had been effectually put down; but in four short years afterwards the state of affairs became so desperate that the Government resolved to retire from the Gold Coast altogether. He was not one who was disposed to recede from the responsibilities we had taken upon ourselves in that region; but at the same time we ought to look those responsibilities fully in the face, for we had no guarantee that history would not again repeat itself. He believed that our responsibilities were due in a very great degree to the policy pursued by the British Government, which had not only patronized the West African Slave Trade for two centuries, and thereby degraded the tribes we had taken under our protection, but had afterwards enervated them by teaching them to cower under the shelter of our forts. That was the decided opinion expressed by Colonel Harley in a despatch to Lord Kimberley of April in last year, and the Government must therefore gravely consider the responsibilities they had undertaken with reference to the feeble and dastardly tribes we had taken under our Imperial wing. We could not leave the friendly native tribes exposed to

the revenge of their great enemy, the Ashantees; we could not honourably extricate ourselves from the obligation we had come under to protect them. The treaties we had entered into began only in this century; the most notable of them was that of 1831, but whatever their precise terms, taken together they involved us in what the native tribes called the protection of their interests. He had a decided objection to the very principle of civilized nations entering into these treaties with native races, whether Ashantees, Kaffirs, or Maoris. They were, at best, a mere caricature of diplomacy, and were a class of negotiations which had been fraught with disaster, and which would not bear the test of very close examination as to their policy or value. More than that they were generally misunderstood, and often broken by the superior power. But, whether disastrous or not, these treaties were binding on us. The policy pursued by Lord Grey in 1852, establishing something like a Negro Parliament, and imposing a poll-tax on the protected Natives, although nothing had been collected under it for many years, had riveted the responsibility of protection upon us. He should be very thankful if he could think we had come to a time when we could escape from our responsibilities, but our present position was one of considerable difficulty. We were not there for honour or for profit, but simply in fulfilment of a responsibility which we had incurred, and from which we could not, for the present at least, escape. The great question was, in what way could we so alter the condition of these tribes that we could honourably withdraw ourselves at some future day from a position we should never have taken up? The policy to be adopted was entirely for the Government to decide, but still he might humbly offer a suggestion or two, which would, of course, be taken for what they were worth; and first as to what we should not do. He trusted that there would be no more attempts to negotiate these treaties, and that there would be no endeavour on the part of the Colonial Office to extemporize a Negro Government and a Negro Parliament. They had seen enough of Negro Parliaments in Hayti and elsewhere, and he could not understand how a statesman like Earl Grey



could support the establishment of a Negro Parliament. We had now some 24 forts on the Coast, and the Government ought to come to some agreement as to the best forts to be held, and the best system of administration to be adopted. Next, if he were permitted to make a suggestion as to what should be done, it would be to make Elmina our chief port on the coast. There were several reasons for that course. It had been held by Europeans some 400 years. It was believed to be healthy, it had a harbour, and it was desirable on those grounds to make it our chief port, and to make the Gold Coast a distinct Government. That would, he admitted, be at variance with the recommendations of the Committee of 1865, of which he was a Member. Their Report was, however, almost disregarded, except that the seat of Government was established at Sierra Leone, while Lagos and other places on the coast were placed under the supreme government of the Governor of Sierra Leone. Great inconvenience, however, had resulted from the interference of the Governor of Sierra Leone with those who administered the affairs of dependencies, one or two of which were nearly 1,000 miles off, and he could not help thinking, if we meant to hold the Gold Coast, that the Governor should be allowed to act independently of all interference from the Governor of Sierra Leone. Beyond that, the Executive Government must be aware of the inconvenience of the correspondence that had been carried on, when they wanted to be in direct communication with some one on the spot. They should try and find another Governor Maclean—who, perhaps, might be found in Captain Glover—and make him directly responsible to the Home Government. There was another thing he had to urge upon the attention of the House, which was that, whatever might be the central seat of government, and whoever might be placed in it as Governor, he trusted that something would be done to remove the scandal of the disgraceful sanitary condition of the ports generally on the Cape Coast, which had characterized our past connection with the place. The mortality among Governors and other officials was well known, and the Colonial Office ought to inquire whether this mortality at the Gold Coast was irre-

movable. He wished that the money fooled away in presents to the King of Ashantee and other chiefs had been spent in sanitary improvements. It was idle to refer to the deadly nature of the climate as an effectual bar to improvement, for looking to India, successive Governments there had, under circumstances almost as unfavourable as those existing on this Coast, reduced the death-rate of Europeans in that country during the 17 years between 1854 and 1871, rather more than one-half—namely, from 69 per 1,000 to 34. That decrease of more than one-half was owing to the changes and improvements suggested by Miss Nightingale and others, and he believed it to be quite possible to make an important improvement in the sanitary condition of Cape Coast Castle, so as to make it a comparatively safe and healthy place of residence for Europeans. There were open drains all round Cape Coast Castle. The drinking water was absolutely poisonous, and the burial of the dead was very imperfectly carried out. His hon. Friend was, he feared, over sanguine in expecting that an orthodox Government would be able to put an entire stop to illegitimate trade. He doubted whether any Government which could be set up, whether managed by traders or by a regular Government, would repress, for example, illegitimate trade in rum or gunpowder. Civilization would, of course, bring its evils as well as its benefits wherever it was introduced; but in time, if it did bring evils, it would also bring the antidote for them. He doubted, however, whether any Government whatever could altogether prevent those unfavourable effects. His friend, the late Mr. Herman Merivale once related to him an incident showing how the importation of rum into Tortola brought about a political crisis in that island. In Tortola, there had been a Parliament very much like our House of Commons. On the occasion in question, the Speaker rode up to the House on horseback; and, having dismounted, handed his horse over to a boy to mind. The boy, instead of holding the horse, got on his back and rode him up and down the street. The circumstance was reported to the House, and was by the House voted a breach of privilege, and the boy's father, who happened to be a licensed victualler, was

*Mr. Arthur Mills*

fined nine bottles of rum. The Assembly consisted of nine Members, who drank up the rum between them, and, getting intoxicated, so great a scandal arose that Representative Government was abolished in the island. Whether they were dealing with negroes, or Kaffirs, or Maoris, no arrangements they could make could altogether prevent any evil results of civilization, and time would have to be relied upon for their cure. He was quite aware there were many difficulties in dealing with our inter-tropical dependencies, and it was but too common to urge that anyone who dwelt upon these topics was aiming at the dismemberment of the Empire. He had shown that that was not his desire. He did not desire that we should shrink from our responsibilities in Western Africa, but he was anxious that they should not be under-rated. What he contended was, that we ought to maintain our Empire on the Coast without the sacrifice of human life which had hitherto been made, and which he believed to be capable of being avoided, and uphold, so far as lay in our power, the interests of lawful commerce and Christian civilization.

Motion made, and Question proposed,

"That this House is of opinion, that, in the interests of civilisation and commerce, it would not now be desirable to withdraw from the administration of the affairs of the Gold Coast."  
—(*Mr. Hanbury.*)

SIR WILFRID LAWSON said, he was glad that the skilful arrangement of the Business of the House by the Prime Minister had enabled them to come to a fair issue upon this subject. The statements contained in the speech of the hon. Member opposite who had brought this subject forward (*Mr. Hanbury*), conclusively proved to his mind that our stay on the Gold Coast was not necessary in the interests either of civilization or commerce. He had, therefore, given Notice of an Amendment to the hon. Gentleman's Motion—namely, to leave out all the words after the words "commerce," and to insert the words—

"It is desirable to withdraw from all equivocal and entangling engagements with the tribes inhabiting the Gold Coast."

Those words, however, did not express his meaning quite so fully as he could wish, for he was perfectly in accord with the sentiments expressed the other

evening by the hon. Member for Hackney (*Mr. J. Holms*), who desired that steps should be taken for our leaving the Gold Coast. He had, however, high authority for using them, for they were the very words used by the right hon. Gentleman the Member for Greenwich (*Mr. Gladstone*), in his celebrated Greenwich manifesto, where he said that, although it was necessary we should sustain the honour of England with regard to the Ashantee Expedition, yet it should be a lesson to us to get rid of all equivocal and entangling engagements of that nature. That was the opinion of the late Prime Minister; and he might mention that, last autumn, the present Secretary of State for Foreign Affairs—*Lord Derby*—also expressed an opinion on the subject in the following terms—

"I doubt whether it was wise to take over Dutch Forts, and I greatly doubt whether any man in or out of the Colonial Office exactly knows or could define the limits of our authority and of our responsibility in regard to the tribes included within the protected territory."

He (*Sir Wilfrid Lawson*) maintained that our engagements and undertakings were not one whit clearer now than they were then. We had, as we all knew, just concluded what he supposed would be regarded as a necessary war; but if it were so, as far as it could be seen, the war was one which would very likely recur. The conduct of the war, and the cause of it, had never yet been discussed in that House; and in connection with the point, he had read the speeches of hon. Gentlemen opposite at various agricultural gatherings last autumn, and saw that they were anxious that Parliament should be called together to discuss the cause of the war. The fact, however, was that there were always three ways of stopping any one who desired to discuss such a subject. If any hon. Member rose to make a Motion before the commencement of the war, the answer was—"You are interfering with negotiations; you are acting against the interests of peace, wait till it is finished." If the war was going on, they were told—"You are interfering with military operations and bringing great danger upon the country;" and if the war was concluded, the answer was—"The whole thing is over, and it is no use crying over spilt milk." He had no objection whatever to our fêting

the soldiers who had returned from the Coast, and giving them banquets, medals, and pensions, though foreigners were beginning to wonder how we proposed to reward our soldiers when they fought against the armies of civilized countries such as Russia and France, for it was against such countries that we were arming, if he might judge by the enormous expenditure we annually incurred in connection with our Army and Navy. The soldiers did not consider the cause, but they did what they had been ordered to do, and although we called ourselves a brave nation, it appeared to him that if we sent out our soldiers to fight for a cause that was not necessary, simply because we were not wise enough to settle the quarrel without fighting, we were acting in a cowardly manner, and could not make amends by cheering the survivors when they came home. He objected entirely to the police theory advocated by the hon. Gentleman opposite, who had said that we ought to maintain our position on the Gold Coast as police. It would be just as well that we should take the beam out of our own eye, before we attempted to act as policemen all over the world. Sir Samuel Baker, who knew Africa very well, had said the question might be raised whether we were quite civilized ourselves, and there were certainly night scenes in London which amazed foreigners, and which they all knew the Home Secretary was going to increase. With regard to our occupation of the Gold Coast, it appeared that in 1821 the Home Government took the Settlement away from the African Company into its own hands, and soon after that commenced what the hon. Member for Hackney roughly called the philanthropic era, and a very pretty philanthropic era it was, for we had had no less than five wars with the Gold Coast tribes since that period. He did not propose in any way to go into the question of the Straits of Malacca, but in 1872 we entered into fresh equivocal and entangling engagements with the Dutch, and as the result of these engagements was that within the past 12 months the Dutch had been fighting in the country we had yielded them, and we had been fighting in the country we had received from the Dutch, the bargain would seem to have been one that was injurious to us both. Both parties had taken over people

*Sir Wilfrid Lawson*

without in any way asking their consent. That we took over the people of Elmina without their consent was conclusively proved from the Papers. The Kings and Chiefs of Elmina declared in a solemn palaver, December 19, 1870—

“On no account will we become English; and if Governor Ussher has ordered Mr. Bartels only to tell us that, he had better hold his peace. The Elminas will serve under the Dutch flag, but no other. We have suffered so much from the exchange of territory that we are tired and exhausted. Surely a man can be sold only once!”

That only showed how ignorant these Chiefs were of civilized life. Moreover, when the bargain was made, we came to no clear understanding with the King of Ashantee as to what his rights were, and we acted arbitrarily in shutting out his people from the Coast. The end of it was, the Ashantees invaded us, and we drove them back over the Prah into their own territory. Not content with that, however, we pursued them into their own district, and that was what he objected to. It was the same thing as Kinglake had described in the Crimean War, when, after we had driven the Russians out of the Danubian Principalities, he said—

“England had become so eager for conflict, that the idea of desisting from the war merely because the war had ceased to be necessary, was not tolerable to the people.”

In the end, everybody said the right thing to do was to march to Coomassie, and we accordingly did so, and then marched back again. The object of that, he confessed, he could never understand, for it irresistibly reminded him of the nursery rhyme—

“The King of France with twenty thousand men,  
Marched up a hill and then marched down again.”

He hoped some Member of the Government would inform the House what that march to Coomassie had to do with advancing the interests of civilization and commerce. Various reasons were given for it. Mr. H. M. Stanley, in his book on the Gold Coast, had said that we went to war with the Ashantees because we hoped to make a gain of it. Did we go in the interests of commerce? The hon. Member for Hackney had shown that we had in 20 years spent £2,090,000 on that country, and in return we had only had £2,300,000 worth of commerce. If that was the way in which we

carried on commerce, we had better not have any at all. Not only that, but he thought it was a most extraordinary way to commence business by killing one's customers. Why, even the publicans in this country did not kill their customers intentionally, but kept them going as long as they could. With regard to the promotion of civilization, the hon. Member opposite (Mr. Hanbury) said, it was necessary to put a stop to the cannibalism and barbarous ceremonies at Coomassie; but, for his own part, he doubted whether that end could be obtained by such means, for an hon. Member whom he met in the Lobby the other evening told him he had been on the Gold Coast, and added that the hon. Member for Tamworth was wrong in thinking those terrible customs would be abolished, and that no fat man would ever have a chance out there. Probably there was a good deal of exaggerated statement about the horrible customs said to have been in vogue; but, even assuming that was not the case, and that the Ashantees might be as bad as they could possibly be, he might remark that it was entirely an after-thought that we went to Coomassie to put down that kind of atrocity, for the existence of similar customs had never been made a pretext for going to war with the King of Dahomey. Besides, he thought the country cared nothing for a kind of civilization which meant nothing more than rum and gunpowder. Further than that, the civilization about which we bragged so much was simply the means of making money out of those wretched people in whatever way we could, and what we called improving them too frequently meant improving them off the face of the earth. That had been the case in every colony we had gone to except India, and there the people were too numerous to be dealt with in such a manner. The result of our boasted civilization in Africa was, that every officer, Consul, and clergyman talked of the Natives as being the greatest blackguards the sun ever shone upon; and what guarantee had we that these people would be better subjects or more moral than they had been in the past? The Fantees liked the Ashantees as much as they did us, and, like sensible men, none of them could be got to fight for us except two companies of Christians. The only

thing we had taught these Christians was how to fight. Outside the House it had been stated that the interests of religion were involved in shooting these black fellows, but, in his opinion, this was the very way to make them dislike religion. Would the House allow him to read a bit of a sermon? It was delivered by a garrison chaplain, the Rev. F. Short, of the Royal Military Academy, Woolwich, at a thanksgiving service in connection with the Ashantee War. The rev. gentleman took a text which had reference to the stripling David going to battle with the giant Goliath.

"Like David," said the preacher, "the British soldiers went out to fight from a sense of duty, without pausing to make any comparisons between their own strength and that of the foe. When the English Army witnessed the superstitions and atrocities which had been committed in that city of murder (Coomassie), they must have felt, like David, that it was God's battle they were fighting, and that the Lord of the whole earth must necessarily conquer. In burning Coomassie they overthrew one of the strongholds of the devil, and opened a channel for the inroads of Christianity."

All he (Sir Wilfrid Lawson) had to say to that was, that if that was endorsed by the Government it was very alarming; for if they were to attack all the strongholds of Satan, Supplementary Estimates to a very large amount would have to be called for. For himself, he totally disapproved that method of spreading Christianity. If a Native of a foreign country, desiring to impress him with the truths of his religion, was to commence by invading his country, burning down his capital, firing upon and killing all his friends and relatives, and ultimately driving him naked into the jungle, he should not be prepossessed by that man's religious views; and if he told him afterwards that his religion was one of peace and brotherly love, he should not only tell him he considered him a scoundrel, but a most hypocritical scoundrel into the bargain. It might do very well for *The Daily Telegraph* and well-meaning clergymen to wrap up religion with politics, but he hoped there was not a single hon. Member in that House who would rise and say that such scenes as had been witnessed in Ashantee would tend to promote the religion of Christ. It was a curious thing, moreover, if the honour of England was to be raised up and magnified by setting one tribe of savages



in Africa to fight against another; by collecting all the refuse and scum of Africa to fight against Ashantee, and upsetting the only strong Government in that part of the world, and teaching them the art of war, so that the next time they fought they would not use old guns and slugs, but Snider rifles and bullets. That was not the prestige of wise men, but of fools; he did not wish to blame one party more than another, for both parties had meddled and muddled in the matter. Many people would be dazzled by our military success, but it was that very success which had emboldened him to speak as he had done on this question. Nobody could now say he was hampering a commander in the field, and endangering the success of an expedition. He was speaking of past occurrences, and in his judgment the time had arrived when the honour and the interest of England would be best promoted by our withdrawal from the Gold Coast. We could not, indeed, wipe out the past, but by carrying his Amendment the House might do something to check in the future that useless expenditure of public money, and that needless sacrifice of noble lives, which did nothing for the honour of this country, and conferred still less benefit on the world. The hon. Baronet concluded by moving the Amendment of which he had given Notice.

MR. ROEBUCK seconded the Motion.

Amendment proposed,

To leave out all the words from the word "commerce" to the end of the Question, in order to add the words "it is desirable to withdraw from all equivocal and entangling engagements with the tribes inhabiting the Gold Coast,"—(*Sir Wilfrid Lawson*),

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. KNATCHBULL - HUGESSEN said, that the House would not be surprised that he had been anxious to rise with as little delay as possible, in order to answer the charges which had been made against the Government, of whose Colonial policy he was lately the exponent in the House of Commons. He did not, indeed, complain of the speech of the hon. Gentleman the Member for Tamworth (*Mr. Hanbury*), who moved

the Resolution, for although he found fault generally with the policy pursued upon the West Coast of Africa since 1865, he made no specific charges against the late Government. There were, however, one or two points in his speech wherein he failed to give them the credit they deserved. Speaking, for instance, of defective sanitary arrangements, he might have mentioned that measures of sanitary improvement were urgently pressed upon the local authorities by the late Colonial Secretary, and that in accordance with the suggestion of *Mr. Salmon*, a plot of land was selected at Cape Coast, in November, 1872, for a cemetery, and the Chiefs had consented to relinquish the ancient but objectionable practice of burying their dead under the floors of their houses. Again, in giving credit to *Sir Garnet Wolseley* for having stipulated in the Treaty for the abolition of human sacrifice, he might have recollected that that was in obedience to the instructions given by *Lord Kimberley* upon the 10th September, 1873, who, in writing of the terms to be demanded of the King of Ashantee, concluded his despatch in these words—

"Lastly, the opportunity should not be lost for putting an end, if possible, to the human sacrifices and the slave-hunting, which, with other barbarities, prevail in the Ashantee kingdom."

But, inasmuch as the hon. Gentleman dealt only with the question proposed in his Resolution—aye or no, should we leave the Gold Coast?—he (*Mr. Knatchbull-Hugessen*) would have been content to deal with his speech in a few general remarks. It was, however, the hon. Member for Hackney (*Mr. J. Holms*) who had imparted a new character to the debate. Conscious of the importance of the subject, and the magnitude of the collateral issues involved, he opened up the whole question of our policy upon the Gold Coast, and, especially with reference to the last three years, and framed so heavy an indictment against the late Government, as to necessitate his (*Mr. Knatchbull-Hugessen's*) throwing himself upon the indulgence of the House, in order to make what he trusted would be a full and sufficient reply. The first charge which he understood his hon. Friend to make was this—in which he was followed by the hon. and amusing Baronet who had just sat down—that whereas the Select Committee of 1865

*Sir Wilfrid Lawson*

recommended that we should reduce our responsibility with a view to ultimate withdrawal from the Gold Coast, the country had, through the agency of the late Government, found itself engaged in the greatest war we had ever had on that Coast, and that for the very purpose of extending our territory and increasing our responsibility. Well, in the first place, let them see what really were the recommendations of that Select Committee. The first was—

“That it is not possible to withdraw the British government, wholly or immediately, from any settlements or engagements on the West African Coast.”

The second—

“That all further extension of territory or assumption of government, or new treaties offering any protection to native tribes, would be inexpedient: and that the object of our policy should be to encourage in the natives the exercise of those qualities which may render it possible for us more and more to transfer to them the administration of all the governments, with a view to our ultimate withdrawal from all, except, probably, Sierra Leone.”

He might pause to ask whether the hon. Gentleman really thought that possibility, upon which our withdrawal was to be contingent, had actually arrived? Were the Natives as yet fit to administer government? If not, the argument for withdrawal, so far as it was founded upon the opinion of the Committee of 1865, fell to the ground. But he would beg the House to mark the following words in the Report—

“That this policy of non-extension admits of no exception, as regards new settlements, but cannot amount to an absolute prohibition of measures which, in peculiar cases, may be necessary for the more efficient and economical administration of the settlements we already possess.”

Upon these words he founded his justification for the acceptance of the Dutch Forts by the British Government, and he would prove his case with as much clearness as he was able. The hon. Gentleman had said that in 1867 the Government—which was Lord Derby's Government—did proceed to carry out the recommendation of the Committee, by effecting an exchange, by which the Dutch took the forts and the protectorate westward—the British eastward—of the Sweet River. But, said he, though this was wise, it was not wisely carried out, inasmuch as the Natives were not consulted. Now, he (Mr. Knatchbull-Hugessen) was not there to attack Lord

Derby's Government of 1867, but this he was bound to say—a similar proposal of exchange was made to Lord Palmerston's Government in 1860, and was declined because it was found that the Natives were averse to be transferred to Dutch protection. He could not find that any attempt was made in 1867 to ascertain the wishes of the Natives, and he said this emphatically—that it was the result and consequence of that transfer which brought about such a state of things as rendered absolutely necessary that cession to us of the Dutch Fort. From the moment of the exchange there was no peace or tranquillity in the Protectorate. The Natives transferred from Dutch to English protection acquiesced, but those transferred from English to Dutch protection violently opposed the change. Perhaps the House would think there was some reason for this. The Denkeras and Wassaws were the largest and most important tribes which thus passed from English to Dutch protection. The Denkeras, formerly vassals of the Ashantees, had been liberated after the great battle of Doodowa, in 1826, in which the English utterly defeated the Ashantee forces. Now, the Dutch being in alliance with the Ashantees, the Denkeras and people of Assim not unnaturally feared that they might again be brought under the yoke of that people. Therefore they refused to accept the Dutch flag. Consequently, in 1868, the Dutch bombarded Commendah, and in 1869 assisted the Ashantees to destroy that part of Dixcove whose inhabitants still hankered after English protection. Ever since the doubtful peace of 1864, the Ashantees had been quarrelling with the Fantees, and threatening invasion. But, after the exchange of 1867, the whole of the transferred English territory was in confusion, and the maintenance of peace and development of trade became simply impossible. The Fantees joined the Denkeras and Wassaws—they more than once invested Elmina; and, in fact, hostilities were only at last suspended through the agency of the English Government, and because the cession to England appeared probable. Now, let him ask the hon. Member for Hackney what he would have had us do under these circumstances? Was that a moment to withdraw from the Coast? Surely he, who had such a respect for

the Report of the Select Committee of 1865, would not have thought the time had come for the ultimate withdrawal which they contemplated? Well, then, were we to repudiate the exchange effected by our predecessors with the Dutch? That would hardly have been deemed right, either to the Dutch or to the Natives. What, then, was left to us but the course which appeared best both to the Netherlands and British Governments—namely, to put an end to the divided Protectorate, to leave only one European Power upon the Coast, and to unite the tribes under the protection of that Power which they appeared to prefer. Now, before he touched upon the manner in which this cession was made and accepted, let him call the attention of the House to the advantages which we might fairly have expected from it. And, first, he would call into the witness-box his right hon. Friend the President of the Board of Trade (Sir Charles Adderley). He was Chairman of the Committee of 1865; he had always consistently condemned our protectorate of tribes as an undefined responsibility; but he prepared a draft Report for that Committee, in which he bore valuable evidence upon the point now under discussion. In the 10th paragraph of that Report he said—

“The Dutch—the only other European Power remaining on this coast besides the English—hold forts intermixed with the English and interfering with their government.”

And in Paragraph 55, he said again—

“On the Gold Coast there is no possibility of raising a sufficient revenue while the Dutch remain and thwart our policy.”

Nor must the House suppose that these were idle words, or only expressing the sole opinion of the hon. Gentleman, for they were sustained by a vast mass of evidence given before that Committee, to the effect that the colony could not be self-paying whilst the Dutch and English remained with conflicting authority upon the Coast, and that the acquisition of the Dutch Forts would be most desirable. He (Mr. Knatchbull-Hugessen) would not take up the time of the House by reading extracts from the evidence; but in the evidence of Colonel Ord, Captain Burton, Sir Benjamin Pine, Mr. Richard Pine, Mr. Ross, and others would be found ample justification for the opinion expressed. He said, then, that we had every reason

to expect that by the acquisition of the Dutch Forts, the following advantages would result:—1. Cape Coast would be rendered a self-supporting and prosperous Government. 2. Higher duties could be levied on arms, gunpowder, and rum, thus increasing the revenue, whilst decreasing the elements of war and demoralization of the Natives. 3. The trade of a country rich in gold would be developed. 4. The numerous tribes which objected to the Dutch Protectorate would be tranquillized; and 5. A harbour, pronounced by that eminent man Colonel Clarke in 1865 to be “the only harbour on the Coast which deserves the name” would be obtained. Moreover, it must be remembered that the whole trade at Elmina was British and not Dutch, and that Sir Arthur Kennedy, one of the best Governors we had ever had in our West African Settlements, and one most competent to form an opinion, always strongly urged the acquisition of the Dutch Forts, and thus wrote of the proposed transfer on 3rd November, 1870—

“I regard the acquisition of St. George d’Elmina by Her Majesty’s Government as one of the most important, and, as I feel convinced, one of the most successful steps which has ever been taken to promote commerce and civilization in West Africa.”

He (Mr. Knatchbull-Hugessen) said, then, that with that overwhelming weight of evidence to show that the acquisition of the Dutch Forts would, in the very words of the Committee, tend to “the more efficient and economical administration of the Settlements we already possess,” Her Majesty’s late Government were acting in accordance with, and not in defiance of, the recommendation of the Committee of 1865 in accepting the cession, and that the first charge of the hon. Member for Hackney could not for a moment be sustained. And now he came to the second and third charges of the hon. Member—namely, that we ignored the Kings of Elmina and of Ashantee, and that we did not consult the Natives. Now, it so happened that he was transferred from the Home to the Colonial Office as Under Secretary early in January, 1871, at the very moment the cession was being discussed, and was therefore able to speak with certainty to the fact that his noble Friend (Lord Kimberley), with whom he had many consultations upon the

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question, was entirely resolved that the cession of these Forts should not be accepted, except upon these conditions—

1. That the Natives were willing to accept the substitution of the English flag for the Dutch.
2. That the claims of the King of Ashantee upon Elmina should be settled by the Dutch previously to the cession.

And here he must complain of his hon. Friend the Member for Hackney, who argued his case not like a Judge, but like an advocate, and an advocate apparently retained against the late Government. Everything in the despatches which appeared to show our neglect or fault he read out with care and marked emphasis; but either slurred over or entirely omitted all those despatches which proved to demonstration that we took every precaution possible with regard to the points he had mentioned. His hon. Friend quoted a despatch received on the 25th of January, 1874, in which an account was given of a meeting at Elmina on the 19th of December, 1870, at which the King of Elmina and others objected to receive the British flag; and his hon. Friend, rising to the height of virtuous indignation said, what a farce this meeting was—what nonsense our pretending to care for the wishes of the Natives when we actually signed the Treaty at the Hague, “which in effect settled the whole business,” three days before we answered this despatch. Now let him (Mr. Knatchbull-Hugessen) blow that charge to the winds. It was true that the Convention was signed at the Hague in February, 1871. By that Convention the King of the Netherlands agreed to cede to Her Majesty “all the rights of sovereignty, jurisdiction, and property which he possessed on the coast of Guinea,” and it was idle to suppose that the Dutch would have allowed the Natives to be consulted as to what their rights were or whether they should cede them. But a Treaty was not a Treaty until it was ratified, and although in 1871 this Convention or Treaty was signed, which set forth what the Netherlands and British Governments were prepared to do as between themselves, it was not ratified until February, 1872. During the whole of that year, the British Government had the right and the power to decline to proceed with the Treaty, and that year was employed in ascertaining the feelings of the Natives

and the position of the Ashantees with regard to Elmina. Did we ignore the question of the alleged claims of the King of Ashantee? On the 9th of October, 1870, Sir Arthur Kennedy wrote to Colonel Nagtlass, Dutch Governor of Elmina, asking him, among other inquiries—

“Does the Netherlands Government pay any tribute to the King of Ashantee, or has he any recognized or other claim upon the people or territory of Elmina?”

The Dutch Governor replied that a yearly stipend was paid to the King to encourage trade, but that he had no recognized claim upon the territory or people of Elmina. The true story seemed to be this—The West Indian Company, to whom the forts originally belonged, granted an annual payment to the King of Denkerah on the Coast to promote trade. The Ashantees conquered Denkerah in 1719, and the pay-note fell into their hands. It would strike the House at once that when the British defeated the Ashantees and set Denkerah free in 1826, the pay-note no longer belonged to the Ashantees, but either to the British or the Denkeras. However, the Dutch continued to pay it to the Ashantees, and the important point was this—The hon. Member truly said that the King of Ashantee wrote to Mr. Ussher, laying claim to Elmina, and stating that tribute had been paid to him and to his ancestors for it. But why did he stop there? We would not accept the cession until the point was cleared up, and after some correspondence the King of Ashantee, upon the 19th of August, 1871, signed a formal renunciation of his claim. That paper, called “Certificate of Apology,” was to be found at Page 34 of the Paper presented to Parliament in February, 1872. In it the King solemnly declared—

“That the letter in which he had claimed tribute on account of Elmina was totally misrepresented on the part of parties intrusted with the writing and dictating it—that he only meant board wages or salary, and not tribute by right of arms from the Dutch Government, and that as to his letter to Mr. Ussher concerning the Elmina fort he ‘must now write that the whole is a mistake.’”

He must confess his surprise that, with this document before his eyes, his hon. Friend should have abstained from saying one word about it, and should have left the House to suppose that we had received the Dutch Forts with the know-



ledge that the King of Ashantee had advanced a claim to them which remained unsettled. [Mr. HOLMS said, he had read that letter.] There were two despatches from Lord Kimberley which showed as clearly as possible our action in the matter. Lord Kimberley wrote to Lord Granville on the 3rd of February, 1871—

“His Lordship will perceive that the King of Ashantee claims Elmina as his own by right, and it is admitted that an annual payment of about £80 (which he represents as tribute) has long been paid him. Lord Kimberley considers it necessary, before proceeding further with the Convention, that the Dutch Government should procure, by such means as they think fit, the renunciation of the claim of the King of Ashantee to Elmina, else this Government may find itself involved in a war with the Ashantees.”

Lord Kimberley wrote to Governor Kennedy on the 28th of February—

“You will perceive that Her Majesty’s Government require that the claims of the King of Ashantee to Elmina as his own by right, should be settled by the Netherlands Government before the Convention for the transfer is concluded, and that if this claim is renounced, they would not object to grant to the King of Ashantee an annual stipend, to be paid by the Government of the Gold Coast, as an inducement to him to maintain peace and to encourage trade, and they would readily facilitate the direct access to the sea of the Ashantees for purposes of trade, under such conditions as might be required for the security of the inhabitants of the coast.”

Nor was that all. Writing to Mr. Pope Hennessy on the 19th of February, 1872, Lord Kimberley said—

“I wish you to consider whether, on the occasion of the transfer of the Elmina forts to the British Government, it may not be advisable to make some addition to the stipend paid to the King of Ashantee, on condition that he abstains from aggression upon the tribes under British protection, and give no encouragement to attempts to stir up bad feeling among the Elminas against the British Government.”

In consequence of that despatch, a double stipend was offered to the King by Mr. Hennessy, in a letter which would be found at Page 87 of the Gold Coast Papers, 1873. Seeing, then, that we obtained a formal renunciation of his claim from the King of Ashantee before we consented to accept the forts; that we promised him an additional stipend, and to facilitate the access of his people to the coast, he (Mr. Knatchbull Hugessen) appealed to the House whether he had not triumphantly disposed of the charge that the late Government “ignored” the rights of the King of Ashantee? And now as to the charge of our not having

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considered the feelings of the Natives. His hon friend had spoken of the dislike of the King of Elmina and his people to the British flag. Let him make one remark upon the point. The Elmina tribe were not the only people transferred by this cession from Dutch to English protection, and his hon. Friend had spoken of hundreds of thousands of Natives. Be it so. But the Denkeras and Wassaws constituted the vast majority of the people transferred, and were most anxious for the transfer, owing to the hope of which alone they had been induced to suspend hostilities. Moreover, they had a strong claim upon us, having been formerly under British protection, and having been transferred to the Dutch entirely against their will at the time of the exchange in 1867. The Elmina tribe, of whom his hon. Friend made so much, was a small tribe of some 12,000 or 14,000 persons, among whom alone objection to the transfer was found. But even at the time of the meeting to which his hon. Friend had called such special attention, there were two parties in Elmina. His hon. Friend had quoted Mr. Ussher as a high authority, and so he was; but what did Mr. Ussher say in the very despatch in which he sent us the account of this meeting—

“By the enclosed report from Mr. Bartels, your Excellency will perceive that the King’s party is the only one likely to be troublesome, and that by far the greater portion of the town is in our favour.”

He added these significant words—

“Although peace is not arrived at, the road to Elmina is quite safe and the Fantees are behaving well and with moderation. But I do not think they would for a moment entertain the question of peace apart from the transfer.”

The transfer was the only hope of peace, and, as events had shown, transfer or no transfer, the Ashantees had long been preparing and intended war, and the only result of the transfer as regarded the war was that, having Elmina in our possession, we were in a better position to meet it when it came. Mr. Bartel’s report concluded with the words—

“I can truly say that eight-tenths of the entire population of Elmina are well disposed to become English, and the remainder can be reasoned into it.”

The Dutch Governor, Colonel Nagtlass, had already informed Sir Arthur Kennedy that he thought “the trading community at Elmina had no objection at all to the transfer,” and we had, there-

fore, every reason to believe in January, 1871, that while the vast majority of the Natives about to be transferred acquiesced in, and earnestly desired, the transfer, the only objectors were a minority of the small tribe of the Elminas. But even under these circumstances the late Government took still further precautions. At that time Mr. Pope Hennessy was about to leave the Government of Labuan for that of the Bahamas. Mr. Keate, who was to succeed Sir Arthur Kennedy upon the West Coast, was delayed at Natal, and Her Majesty's Government determined to send Mr. Pope Hennessy *ad interim* to the West Coast, especially to communicate with, and ascertain the feelings of the Natives, with regard to the proposed transfer. He was glad to bear witness—as he did at the time—to the great zeal and ability with which Mr. Pope Hennessy conducted the business of the transfer. The instructions given to Mr. Hennessy by Lord Kimberley upon the 12th of February, 1872, were as follow:—

“Her Majesty's Government have no intention of assuming a British Protectorate over those native tribes without their consent. It is probable that the natives of Denkerah and the two Wassaws, who were formerly under the British Protectorate before the exchange of forts, may be desirous of becoming so again; but I wish to call your particular attention to the Elminas, a small tribe numbering about 12,000 or 14,000, in the immediate neighbourhood of the Dutch fort of St. George d'Elmina. The Elminas have hitherto been under the protection of the Dutch, and are also in alliance with the King of Ashantee. The position of affairs with regard to this tribe will require your earliest and most serious attention. They should be distinctly told that they will not be required to place themselves under British protection against their will. The objects which Her Majesty's Government have throughout had in view in negotiating this Treaty are not the acquisition of territory or the extension of the British power, but the maintenance of tranquillity and the promotion of peaceful commerce on the coast. You will on no account employ force to compel the natives to acquiesce in the transfer of the forts, and if you should find that the attempt to assume possession of the forts on the part of the British authorities would probably be followed by resistance on the part of the surrounding native tribes, you will not accept the transfer of the forts, but will report the circumstances to Her Majesty's Government and await further instructions.”

Well, what state of feeling did Mr. Pope Hennessy find at Elmina? Admiral Harris, our Minister at the Hague, had already written home that—

“Intelligence had been received by the Dutch Government from Elmina that ‘a great change

had taken place in the public feeling there, and that a majority of the population had declared themselves opposed to throwing any obstacle in the way of the transfer.’ ”

There had been angry discussions between those who were for and those who were against the transfer, the Ashantee Chief, Atjiempon, taking a prominent part with the latter. After a long palaver, the majority decided that the King Hobbema Edjin should be deposed on account of his having allowed himself to be advised and instigated by Atjiempon. During the year 1871 those who were opposed to the transfer had sent Mr. David Mill Graves, a mulatto, to the Hague to protest against it. So great had been the change in public feeling that this man, with others who opposed the Treaty, met and welcomed Mr. Pope Hennessy in 1872. From the Papers which he (Mr. Knatchbull-Hugessen) had presented on the 30th of June, 1873, it appeared that the concurrent testimony of all our correspondents upon the Gold Coast was, that all opposition to the transfer had ceased, and that, in the words of the Dutch Governor, “a better time could not be chosen for carrying the Treaty into effect.” The cession was formally made upon the 6th of April, 1872. Writing on the same day, Mr. Pope Hennessy described the affair, and stated how, as each tribe was called, the chief man arose and publicly announced the agreement of his people to the transfer. By formal proclamation from the Dutch Governor, the Dutch tribes were discharged from the oath which they had taken not to accept other protection than that of the Netherlands. By a proclamation from Mr. Pope Hennessy it was declared that Her Majesty would extend her favour and protection as fully to the Elminas as to the Fantees, and in his subsequent despatches through the summer, Mr. Hennessy stated that the accounts which he received indicated confidence in the Government and a general revival of trade. So far he had proved conclusively—first, that the late Government did not contravene the Report of the Committee of 1865 in accepting that cession of the Dutch Forts which appeared necessary to the tranquillity and prosperity of the Gold Coast; and, secondly, that they neither ignored the King of Ashantee nor the wishes of the native tribes, but that, on the contrary, took every precaution to secure

that the desired results should be obtained from the cession, and that peace should be established in the place of that discord and confusion which had previously prevailed. And now he came to speak of the causes of the war, of which the hon. Member for Hackney had complained that no official explanation had been given; its conduct he need say nothing of; universal testimony had been borne to the promptitude and energy with which the British Government acted and to the gallantry of the forces employed. One comment he must, however, make. The hon. Member for Hackney thought fit to read the history of one day of the war. He spoke of several villages destroyed, and then threw up his hands in horror at the thought that this should have been done by a nation which sent out more missionaries to preach the Gospel than any other nation in the world. He protested against such language. No man possessed of common feeling would desire to destroy one village, or to take one life unnecessarily. But when you were dealing with a country in the hands of, and overrun by a numerous and blood-thirsty enemy, military exigency might require the destruction of the places whence they were drawing their supplies, or where they could shelter themselves in order to attack our position with greater advantage. Those were matters which must of necessity be left to the discretion of the officer commanding the troops. The destruction of those villages, by forcing the retreat of the Ashantees, might have saved many lives; and to condemn the measure in the strain which his hon. Friend thought fit to adopt, was a misplaced exhibition of sentimentality which the House of Commons would know how to estimate at its true value. As to the causes of the war, the right hon. Gentleman the President of the Board of Trade, speaking at Hanley in the autumn of last year, was reported to have said—

“His conviction was, that if the Conservatives had been in power during the last six months there would have been no Ashantee War, and he would tell them why. Their Friend and Colleague, Mr. Pope Hennessy, was Governor of the Gold Coast, and conducted the exchange of the Dutch territory to England, making the English the only European Power on that Coast. When the English took the Dutch territory, they took the Dutch liabilities to Ashantee, and it was most unwise of the English to side with

one tribe against another, for their only business was to keep the peace against them all. This Mr. Pope Hennessy saw, and he commenced negotiations with the natives, which were successful up to the time of his removal and promotion. As soon as he left, things got into the hands of certain military administrators not too anxious to avoid war. They embroiled themselves with the natives in the interests of certain merchants, trusting to the English Army to come and fight for them. That was the origin of this senseless war, and he hardly knew which to wish for—failure or success. Failure would lead to a loss of prestige, and success would entail permanent occupation of a most unwholesome territory. No good could follow to the military or mercantile interests of the country.”

This was not a question of Conservative or Liberal, and he would say nothing of the patriotism evinced in the latter words of the right hon. Gentleman; but if he had read the Papers presented to Parliament, his remarks were unjustifiable, and if he had not read them they were still more so. The right hon. Gentleman spoke as if the war had broken out after Mr. Pope Hennessy had left the West Coast, and he appeared to endorse the opinion of that gentleman that the war was owing to the conduct of “certain military Administrators,” by which all knew he meant Colonel Harley. In justice to that officer—whom he did not even know by sight—he must state the utter unfairness of this charge. Mr. Hennessy wrote from the Bahamas a very angry despatch, accusing him (Mr. Knatchbull-Hugessen) of having unjustly censured him, because he had stated in that House, in answer to a Question, that he had “misapprehended the nature and character of the Ashantee invasion.” He passed no censure upon Mr. Hennessy, but he stated a simple fact which his noble Friend at the head of the Colonial Office had previously agreed that he ought to state. Mr. Hennessy had written home on 13th February, 1873, about “the alleged Ashantee invasion,” and that “he did not believe that this is an Ashantee invasion, or the prelude to an Ashantee war,” and that he “did not believe that the King was in any way mixed up in the matter,” and moreover he had advised the recall of Colonel Harley, and had imputed the Ashantee attack to his conduct, to the brokerage dispute, and especially to a certain speech of his which was said to have given great offence. Well, Mr. Hennessy was quite wrong, and the best proof of his error

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as regarded Colonel Harley was this—The brokerage dispute occurred shortly before Colonel Harley's assumption of the government. Colonel Harley assumed the government on the 23rd of November, 1872, and the speech in question, if made at all, which was denied, was made at an interview with the Chiefs upon the 29th of December, 1872, and the Ashantee army was proved to have marched from Coomassie on the 9th of December, nearly three weeks before the speech was delivered. Add to that the fact that in his letters as to the war the King of Ashantee never alluded to any offence given by Colonel Harley, and the House would agree that there was no evidence whatever to show that the conduct of military administrators had anything to do with the matter. Let no one suppose for a moment that he imputed the war to any conduct on the part of Mr. Pope Hennessy. He thought Mr. Hennessy had been unjust to Colonel Harley, that he had probably been deceived by the King of Ashantee, and misled by an over-confidence in his own powers of managing native tribes. But he did not attribute the war to any conduct of Mr. Hennessy, although it was possible that his suspicions ought to have been awakened by the information given him by Mr. Salmon—that the Ashantees had been for some time making large purchases of arms and ammunition. What, then, were the causes which led to it? In the letter of the King of Ashantee he stated that he was coming to take his fort of Elmina, and also that Mr. Pope Hennessy's messenger—Plange, an Elmina man—had brought him threatening messages from Mr. Hennessy, to the effect that his power was to be taken from him in four months. It had been suggested that Plange, for his own purposes, invented this message, but he was inclined to think the whole was an invention of the King's. Some time in February last there appeared a remarkable letter in *The Standard* newspaper from Colonel Nagtlass, formerly Dutch Governor of Elmina, which seemed to throw some light on the question. He explained the old grudge which the King of Ashantee had against the British Government, and he said that ever since the Ashantees lost Denkerah and Assin after their great defeat at Doodowa, every Ashantee Monarch had been eager to reconquer

those provinces, and they had always been looking for an opportunity to make another war. It was a curious corroboration of this view that, in all his letters, the King of Ashantee constantly alluded to the people of Denkerah, Assin, and Akim as his slaves, and demanded that they should be restored to him. And Colonel Nagtlass used these words—

“Now, it was easy to conceive that the King of Ashantee, having already a grudge against the British Government, was excited to the utmost when the British Power was established on the whole Gold Coast. Not that he is in want of a seaport, for the Ashantee traders went always to Cape Coast and Azamaboe to buy their necessities, and very seldom came to Elmina for this purpose. But the origin of this war must be chiefly attributed to the King's desire to avenge the defeat of Doodowa and to get back the authority over Assin and Denkerah.”

He believed the truth to be that the Ashantees, a warlike and restless people, had long meditated war, believing themselves strong enough to drive the European powers from the Coast. They remembered their defeat at Doodowa, but they also remembered their victories and the death of Sir Charles M'Carthy, and believed themselves equal to the British in power. Up to the very moment of their invasion they were simulating friendship, and when their armies actually crossed the Prah, envoys from their King were at Cape Coast negotiating for the ransom of the missionaries whom they had carried off in 1869. The retirement of the Dutch might have precipitated the war; but he believed it was inevitable, and that at the same time no human being could have foreseen it; and that neither any official upon the Coast, nor the Government at home were justly to be held responsible for it. Before speaking of our future policy upon the Gold Coast he felt he must allude to an observation of the hon. Mover of this Resolution—to the effect that in time past we had refused to allow the Fantees to set up any means of defence for themselves. That was entirely an error. If the hon. Gentleman alluded to what had been called the Fantee Confederation, the answer was simple. That was a movement not really made by the native Chiefs, but by certain persons whose character and objects were at least doubtful. They did not consult the British Governor; they proposed, without such consultation, to levy taxes over districts where



taxes were already being levied by the British Government; and their action was afterwards repudiated by the very native Kings and Chiefs whom they pretended to represent. A real Fantee Confederation, properly carried out was what the British Government always desired, if the Natives became fit for it. But if the hon. Gentleman spoke merely of defence generally, he could only read to him the instructions of Lord Cardwell in 1864, which had been the text-book of our Government ever since. Lord Cardwell said—

“The duty of defending the extensive territory included in the Protectorate can only be satisfactorily discharged if the Chiefs to whom it belongs are united and resolute in their own defence. The proper course, therefore, is to take every possible means for bringing the Chiefs to an united and decided system of defence, and for this purpose to give them advice, to supply them judiciously with military stores, and in concert with the officer in command of the Forces, to furnish them with such assistance as he may be able to afford without exposing his officers and men to any protracted residence in the interior, especially at the unhealthy season, and without weakening his Force upon the Coast so as to endanger the safety of the Settlements themselves.”

That was precisely the course taken by Colonel Harley until the war assumed proportions which rendered further efforts necessary on the part of Her Majesty's Government, and in his opinion he did his duty well and faithfully. Upon him fell the first brunt of the battle; he had to encourage the Chiefs to go forth to battle; to supply the Natives with arms and ammunition—a difficult thing to do judiciously, owing to their inveterate habit of firing constantly in the air upon every opportunity;—and to receive and provide for crowds of fugitives after their defeat. He had to encounter the reality of war and the probability of famine; he had immense difficulties to contend against, and he was bound to say that in their recognition of his services, Her Majesty's Government had not erred on the side of generosity. But, said the hon. Member for Hackney, why did we cross the Prah and go to Coomassie? Well, we went to Coomassie, because the warlike people of Coomassie came first to us; we went to Coomassie because our Protectorate had been invaded, our protected tribes slaughtered and enslaved, our flag insulted, and our forts attacked. We went to Coomassie because

the most effectual way to vindicate the honour of our flag and to prevent the recurrence of those events was to strike a blow at the spot where the enemy believed himself to be most invulnerable. And he would say, in spite of the sneer of the hon. Member for Carlisle, that we went to Coomassie, in the interests of future peace, civilization, and progress, and he ventured to say that the course we took was one which had been approved by nine-tenths of the British people. He now came to consider the question of withdrawal which the hon. Member had brought forward in his Resolution. It was one which had long engaged the attention of those who had to consider our position upon the West Coast of Africa, and the early solution of which had been necessitated by recent events. It was one, however, upon which the late Government had, as a Government, come to no decision, inasmuch as they left office before the war was concluded, and therefore before it became necessary to decide the question. There were three varieties of opinion upon the subject—first, there were those who said, let us as soon as possible withdraw from the Coast altogether; secondly, there were those who said—let us take the opportunity of this successful war to extend and ramify our Protectorate, and establish the wider and more certain exercise of British influence in Western Africa; thirdly, there were those who desired that we should neither quit the Coast nor enlarge our possessions there, but retaining the forts for the protection of trade, should remain as *quasi* guardians of the peace among the native tribes, assisting in the promotion of civilization and the gradual development of the resources of the country. There was something to be said for each of those views. When he looked back upon the treasure which had been wasted and the blood shed upon the West Coast of Africa, and compared this loss with the small direct advantage which this country had received in return; when he found how unhealthy and how fatal to European life was the climate, and how many valuable men had thereby been sacrificed, and when he remembered the state in which our allied tribes had lately been found after more than 200 years' connection with this country, he could not but ask himself whether it was for

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their interests any more than for our own that this connection should be continued? As far as the Fantees were concerned, it must be admitted that with a *physique* vastly superior to the Ashantees, their *morale* was immeasurably inferior, and they had proved themselves to be fit for little else than to be mere hewers of wood and drawers of water. Then, as regarded ourselves, expense, trouble, complications with native tribes, wars such as that from which we had just emerged, might all be avoided for the future by our withdrawal from the Coast and adopting the advice given us upon that subject by persons whose opinions were deserving of every consideration. But there was another point of view from which this question might be regarded. The men who gave this advice had clear and definite views. They did not think England ought to interfere anywhere excepting where it could be shown that direct and substantial advantage would accrue, and they would never annex an acre or add a foot to British territory except in such a case. He need hardly point out to the House that if these principles had guided the past policy of this country we should have no colonial Empire to talk about to-day. But the existence of such a school of thought amongst us was a fortunate thing, if only because it tended to make us treat with care and caution such a question as the present. No doubt, in this case, the advantage to England of withdrawing from the West Coast of Africa would be so direct and palpable, that it would be the duty of Her Majesty's Government to weigh well the considerations upon the other side before they decided to remain. And what were the considerations on the other side? In his opinion, they resolved themselves into the answers to these two questions. Had we or had we not contracted engagements with the tribes on the West Coast from which we could not in honour recede? And, had we or had we not incurred moral responsibilities which we could not, consistently with our duty, deny and avoid? When he spoke of engagements with native tribes, he did not speak of Treaty engagements alone. There might be no Treaty which bound us to remain upon the West Coast of Africa. But in the dealings of one country with another, and especially in the dealings of a great

country like England with a number of petty nations, there were sometimes engagements equally binding with those which might be found within the four corners of a treaty. If by a long continuous course of uniform conduct towards the native tribes, interfering with their affairs, controlling and regulating their customs, and introducing our own, arbitrating in their quarrels, supplying those who were friendly with arms and ammunition, encouraging them to resist their enemies, and from time to time rendering them more active aid—if by this course of conduct we had led them to lean upon us and regard us as their protecting power, it might be doubted whether it would be consistent with our national honour suddenly to abandon them the moment it suited our own convenience to do so. Moreover, at that instant, what was our actual position? The late war had been, though short, in many respects the most extraordinary, complete, and important ever waged upon the West Coast of Africa. For the first time a white army had penetrated to the capital of Ashantee, and it seemed probable that the power of the King of that country had been broken. According to the degree in which that had been effected, the entire withdrawal of Great Britain would produce one of two things. If the power of Ashantee were completely shattered, there would probably follow a struggle for supremacy among the tribes emancipated from his yoke, and a time of wild confusion; if his power was only temporarily shaken, he would probably take a cruel and sanguinary revenge—first upon the tribes who had deserted him in his hour of weakness, and secondly upon those who had brought the White man to his capital; and it became a serious question whether, having vindicated the honour of our flag, and exposed the most powerful Monarch in West Africa to a signal humiliation, we should be morally right in folding our arms and sauntering away from the Coast, leaving those whom we had encouraged to resist to the tender mercies of their exasperated and implacable enemy. No doubt, we had gained little from our West African possessions; but a country which claimed to be placed in the first rank of nations could not hold that position without being prepared to accept the responsibilities which were attached thereto. England could

not deal with those questions upon considerations of material interest alone, and before Her Majesty's Government determined to withdraw from the Coast, it would be their duty carefully to consider what those responsibilities were, and whether such a withdrawal would be consistent with the honour of the country and the due performance of her moral obligations. However that might be, he thought that what he had already said bore strongly upon the second proposition—namely, that we should enlarge our possessions and extend our influence in West Africa. If the advantages of the connection had been so comparatively small in the past, we might well pause before entertaining the question of an extended connection in the future. It had hitherto been one of a peculiar character. An undefined Protectorate, as a general rule, was the most unsatisfactory of all conditions. It entailed upon the protecting Power most of the responsibilities, without the advantages of government, and rarely possessed any special counter-balancing merits of its own. It might be asked, if this were so, and if we had been right in remaining upon the West Coast, why had we not assumed absolute territorial possession in those cases in which the native tribes had been ready and anxious that we should do so? The great obstacle, supposing no other to have existed, had been the fact of slavery being one of the cherished institutions of the native tribes. He was not speaking now of the sale of Natives by one King to another, or of that unholy traffic which we had done so much to put an end to, but of the domestic slavery which existed among the tribes of the West Coast, and which they could hardly be prevailed upon to abandon. The slaves were generally well-treated and contented; but while on the one hand, it would evidently be undesirable to abolish by force an institution approved and cherished by the Natives, on the other hand, it could not be permitted that slavery should exist on British territory; and it was this which stood as a bar in the way of our assuming that absolute territorial authority over the protected tribes which would enable us to govern them effectually. Even if that obstacle did not exist, it might well be asked, whether, under any circumstances, the probable advantages of extended territorial power

were such as to justify its contemplation by us? What were the probable advantages respectively to England and to the West African tribes? To us, perhaps, a security from such wars as that in which we had been lately engaged, extended trade, and new markets for our merchants. To them, the development of the resources of their country and the extension of the influences of civilization. Then came the question, whether all these advantages to either side might not be equally well obtained without that territorial extension which would undoubtedly in other respects add to our obligations and responsibilities? And this brought him to the third proposal—namely, that we should remain on the Coast, but without any extension of territory. If that should be the decision of Her Majesty's Government, he hoped the opportunity would be taken to limit and define our position and our obligations for the future. Much of the evil of past years had undoubtedly arisen from the want of such limitation and definition. Our Protectorate had been undefined, and our very boundaries uncertain. There might be an improvement in that respect, and one advantage might certainly be derived from this war—namely, the establishment and extension of that Houssa Force, for the efficiency of which we had to thank Captain Glover, and upon which the British Settlements must mainly rely for their defence in the future. It had been suggested that a Government of merchants, with a British Consul, was the thing to be desired. But expense to this country could not be averted by such a change. If the British flag were insulted, and British subjects attacked and slain, the spirit of England must have altered very much if she did not interfere, whether a Consul or Colonial Governor were concerned. What was really above all things necessary was, to make the Natives understand that it was for their good that we were upon the Coast, and that it was to their interest to trade with us. We should desire to teach them to regard us, not as a Power which wished to occupy their land and possess their territory, but one which was there for their sakes as well as for its own; and which, while able and ready to avenge insult to itself, really desired to benefit them, and to develop the resources of their country. If we could

*Mr. Knatchbull-Hugessen*

not teach them that, we should occupy our forts in vain; but if we succeeded, we might still hope to introduce extended trade, civilization, and Christianity into the heart of Africa. One word more upon the Resolution of the hon. Gentleman. He would advise him to be satisfied with the discussion which he had provoked, and to withdraw his Resolution. No doubt it was well that the subject should have been ventilated, and that the Government should have had the advantage of hearing the opinions which had been elicited. But with the Government must rest the responsibility of the ultimate decision of the question, and it was not the duty of the House of Commons either to dictate to the Government the nature of that decision, or to press the Government to arrive at a hasty or premature conclusion. He would frankly own that while he was at the Colonial Office, no question came before him, upon which he found it more difficult to arrive at a conclusion absolutely satisfactory. No doubt, withdrawal at this moment was impossible, and the whole question was one surrounded with difficulties, and upon which from its very nature there must needs be much diversity of opinion. Nevertheless, it was one which certainly pressed for early solution, but that solution must be left to the responsible Advisers of the Crown. He said now, not for the first time, that these questions of the relationship between Great Britain and her distant Settlements were questions which ought never to be made the battlefield of party strife. The principles upon which they ought to be decided were principles common to the great majority of both sides of the House, and, whatever the decision at which Her Majesty's Government might arrive, let them be assured that it would receive from their Predecessors that fair and candid consideration which they had a right to expect, and which ought especially to be given to questions in which the national honour and national interests were involved, for upon those questions party feeling should give way to patriotism, and their only desire should be to do that which might best sustain the position and the character of our country.

SIR JOHN HAY said, he agreed with many of the concluding remarks of his right hon. Friend, and believed that the Government would gather strength from

the present discussion, to carry out a policy which would obtain the support of the country. After the speech of the hon. Member for Tamworth (Mr. Hanbury), and of the hon. Member for Hackney (Mr. J. Holms), he would not dwell on the commercial importance of the protected territory; but would refer to what had been the condition of the territory ceded by the Dutch at the time we took possession of it. The right hon. Gentleman who had just sat down had adverted to the same point, and had asked the House to admire the promptitude and energy displayed by the late Government in their military operations. He, however, wished to remind the right hon. Gentleman how often the late Prime Minister and himself had been asked in vain last Session, by the right hon. Gentleman the present President of the Board of Trade and other hon. Gentlemen, to give the House an opportunity of discussing the war into which we were drifting. The whole of the difficulty arose from the fact that Colonel Harley was left without a sufficient force, having only 160 men to defend a frontier of 165 miles; but with the force at his disposal he did all that could be expected of him. It was in 1870, that Lord Cardwell, in order to save £20,000 per annum, reduced the numbers of the West India regiments, leaving the defence of Cape Coast in the hands of the Houssas, and it was not until the Ashantees were within 12 miles of Cape Coast Castle and Elmina that a small force of Houssas was brought up from Lagos to oppose them. The confusion that existed at the time of the occupation of the Dutch Forts and the conveyance of the Dutch territory to England was well known to all those who took any interest in the matter. In consequence of the arrangements made in 1866 and 1867, for resigning the British territory westward of the Sweet River, the tribes originally dependent upon England were dissatisfied with their new rulers, and the Dutch not only resorted to force, but called in the aid of 3,000 or 4,000 Ashantees. These facts would make it very difficult for us to withdraw from the Coast. Moreover, it would be entirely contrary to British policy if, after such a war as had just happened, we were suddenly to withdraw our protection from those who had relied upon us. It was perfectly true that great evils had



arisen, as had been forcibly shown by the hon. Member for Tamworth, from the continuous change of Governors on the Coast; but as had been equally well pointed out by the hon. Member for Hackney, that change had been due rather to the effect of climate, than to any interference on the part of Her Majesty's Government. What we ought to do was to obtain our Governors by some law of natural selection. Governor Maclean was employed for 15 years under the African Company, and for three under the British Government, and during that period he maintained active and vigorous health when others failed. What the Government, therefore, should do would be to select some such person as Captain Glover—who had so much distinguished himself, but with whom he had not the pleasure of being personally acquainted—who seemed to have the knack of governing these people, and conducting affairs successfully, while at the same time maintaining his constitution unimpaired. The force to be maintained ought undoubtedly to be composed of persons residing in the district—such as the Houssas, who, under proper discipline, would perform all the duties of the police, and nip in the bud any attempt at invasion by the Ashantees. With reference to future policy, the fact should be recognized that the Ashantees were much addicted to trade—lawful or unlawful—and though we could not encourage them in slave-dealing, we might do so in reference to every other kind of trade. But unless they had access to the Coast, instead of having to push their commerce through hostile tribes and over bad and ill-defended roads, so long would there be an ill feeling between them and the protected tribes, and so long should we fail to possess that control over them which legitimate commerce would give. Instead of having an iron-bound coast of 300 miles long, from which the Ashantees were excluded, it would be a great advantage to this country if they had access to the Volta, and that we encouraged trade with them on that river. The case of Dahomey would show what could be done by pursuing this policy. With that Kingdom we had always maintained amicable relations. They had a good port at Whydah. There we permitted every opportunity of trading, and a gunboat which we kept at Lagos could

always be sent to Whydah, if our relations at all assumed a doubtful character. The result was, that the mere threat of closing the port was sufficient to keep order, and a similar course might be taken with the King of Ashantee when occasion required, if he had a port accessible to our vessels of war. Various suggestions had been made as to the propriety of changing the site of the Government, and certainly no place could be worse than Cape Coast. Elmina was healthier than Cape Coast, and had a better port, and its recent destruction by fire gave an opportunity of re-building it with some regard to sanitary conditions. Accra would probably be found infinitely healthier, and was only 27 miles from Akropong, which was situated on a high land 1,800 feet above the sea, where, at the station of the Basle Mission, Europeans easily recovered their health when suffering in the plains below, or on the sea-coast; and it was surrounded by loyal and active tribes, who were always ready to assist us as they had done in the late war; or we might remove it to some site upon the Volta, which was a perfectly navigable river, down which the Ashantees could send their trade direct to us. He trusted that after the discussion which had been held on the question, the hon. Member who had brought the subject forward would accept the suggestion of his right hon. Friend the late Under Secretary for the Colonies, and be content with the expression of opinion that had been given, and would consent to leave the matter in the hands of Her Majesty's Government. Had the Forms of the House, however, permitted, he should have been inclined to have moved the Previous Question.

SIR FRANCIS GOLDSMID said, he was desirous to say a few words in order to express a view which had not yet been stated in the debate, but which, although he was not authorized to speak on behalf of any other hon. Members, he was convinced was entertained by many. He was quite willing to concede to his right hon. Friend the late Under Secretary of State for the Colonies (Mr. Knatchbull-Hugessen) that the late Government had displayed great ability and energy with respect to all the matters under discussion. But the more fully that was admitted, the clearer it became how desirable it was to terminate, as

*Sir John Hay*

soon as might be, our connection with a country in which all that ability and energy had been only just sufficient to save us from serious disaster. No one could carefully read the accounts of the late war without perceiving that our success was due not only to extraordinary military skill and courage, but also to remarkable good fortune; and he (Sir Francis Goldsmid) did not wish that we should again, unless it were absolutely necessary, expose ourselves both to a similar risk and to the certain loss of many valuable lives. He did not belong to the class spoken of by the right hon. Gentleman as insisting that England should never acquire an acre of territory, or incur a possibility of war; but he did desire to see that there was some adequate motive for making such acquisitions, or incurring such possibilities. In the present case, it appeared to him (Sir Francis Goldsmid) that every rational motive tended in a contrary direction. In Western Africa we had to deal with a pestilential climate, with barbarous hordes, and with the difficulty as to domestic slavery so clearly pointed out by the right hon. Gentleman. It was, as he explained, impossible to put an end to that abominable institution, except by force; and impossible to incur the discredit of permitting it to prevail in any country of which England was the Sovereign. The mode suggested, not of avoiding, but of half evading this difficulty, was to assume a Protectorate, instead of a Sovereignty, over some of these barbarous tribes; a Protectorate which appeared to him to mean, that we were to make ourselves responsible for the misdeeds of those whose actions we could not really control. On the whole, he could not too strongly express his hope that so far and so soon as was consistent with honourable adherence to our engagements, we might retire from all connection with Western Africa.

SIR WILLIAM EDMONSTONE said, that as he had been off and on the Coast, having been the officer in command of the West Coast of Africa for several years, he wished to enter a protest against the remarks of the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), and the hon. Member for Hackney (Mr. J. Holms). It was quite evident that we must retain a position on the Gold Coast, and not leave the merchants established there to

defend themselves in what was equivalent to an unprotected Protectorate, and therefore, if our merchants were to remain on the Gold Coast, our Forces must also be allowed to do so. If we withdrew and left the merchants to their own resources, what would be the result? The answer was easy; in a very short space of time the merchants would leave also, and another nation would take possession. It had happened more than once, that a nation had been forestalled owing to its dilatoriness in taking possession of that to which it was entitled, and it should be remembered that we held many places, not for our own advantage, but to prevent other nations holding them. He was aware of one instance at least of the character to which he had referred. A French admiral, when in command, had delayed taking possession of an important fort which was within his grasp. An English officer dining with the same admiral, and becoming aware, in the conversation which ensued, of the delay which was taking place, proceeded, after taking his leave, to take possession himself, and when the French admiral arrived the next morning at the spot, he found that he had been forestalled by his guest of the previous evening. A great deal—too much, as he considered—had been said as to the pestiferous character of the climate; but it was equally bad at Sierra Leone and Lagos, and it should also be borne in mind that if we withdrew from one part of the Gold Coast, we must withdraw from other portions of that coast. If he had to organize a possession in Africa, he should certainly say, speaking with all respect for them, that he did not want the services of missionaries, for he was sorry to say that they were often at the bottom of any ill-feeling or difference of opinion between the Natives and the Government. On one occasion, in the course of his duties, he had to ask the missionaries not to attempt in any way to set the Natives against the operations which it was necessary he should carry out, and they refused to promise they would not do anything of the kind. He did hope that Her Majesty's Government would at all events for the present refrain from withdrawing the forces from the Gold Coast.

MR. RICHARD, in supporting the Amendment of the hon. Baronet the

Member for Carlisle (Sir Wilfrid Lawson), said, he was glad his hon. Friend the Member for Hackney (Mr. J. Holms) had given a somewhat wider scope to the discussion than the issue raised by the Motion and the speech of the hon. Member for Tamworth (Mr. Hanbury). Very often great questions of public policy, of International Law and morality, and of Ministerial responsibility, were altogether slurred over and seldom came before the House for discussion under the existing system, and it had been very much so in the present case. At that moment all were shouting, throwing up their caps, and indulging in loud and somewhat extravagant rejoicings upon the achievements on the West Coast of Africa; but nobody cared to ask if that was a just and a necessary war, or if the money we had expended, and the suffering and loss of life we had inflicted and endured, might not have been avoided by wiser counsel, and by a clearer understanding as to the nature and the limits of our responsibility on the West Coast of Africa. After wading as patiently as he could through the chaos of Blue Books that had been thrown before the House in connection with this matter, his conclusion was that it was not a just and necessary war; that it might have been avoided, and that it arose from a contemptuous disregard of notorious and acknowledged rights on the part of our adversary. There was no doubt that the Kings of Ashantee had sustained relations with, and exercised a kind of suzerainty over Elmina, almost from time immemorial. That was acknowledged on all hands. The King of Elmina admitted it by the payment of a tribute of £80; and when the Dutch assumed the Protectorate, they also acknowledged it by continuing to pay the tribute, although they called it a stipend. Our administrator there, Mr. Ussher, stated his conviction that the King of Ashantee had certain claims upon Elmina, and warned Her Majesty's Government against completing the negotiation for the transfer of the Protectorate to themselves from the Dutch until that point had been cleared up. Again, Lord Kimberley, in one of the despatches, said it would be necessary, before proceeding with the Convention, that the Dutch Government should procure a renunciation of the claim of the King of Ashantee. The late Under

Secretary of State for the Colonies had, indeed, that day read to the House what he represented to be a formal renunciation of the claims of the King of Ashantee, but it did not appear to him (Mr. Richard) to be at all a clear renunciation. It was wrung at the last moment from the King by the Dutch, and was contrary to his constant, persistent, and emphatic declarations of an opposite kind during the whole course of the negotiations. In fact, the assertion of his rights was not a mere point of honour, but was of great and practical importance to the King of Ashantee, inasmuch as Elmina was the only place by which he could obtain access to the sea, for the Fantees did all they could to intercept the passage of the Ashantees to the Coast. Were they disposed to adopt the principle which was laid down by the Chief Justice of the Supreme Court of the United States when slavery was prevalent in that country, when he announced from the Bench this maxim—that “black men have no rights which white men are bound to respect?” He feared the representatives of European Governments in foreign countries, too often when they came into contact with coloured people, seemed disposed to act upon the same principle; but it was not likely that the generality of Englishmen would endorse it. He had no wish to detract from the merits of those who had been engaged in the late Expedition; they performed the task allotted to them prudently, promptly, and successfully, and the officers and men engaged displayed the high qualities of discipline, courage, and endurance for which British soldiers were famed; but, in the midst of their exultation over the victory they had won, he would ask, what had been gained by the enterprise? They knew to some extent what they had sacrificed. They had spent not much less than a million of money, for which they might have found a more profitable use. They had sacrificed a considerable number of valuable lives, either in battle, or from the pestilential nature of the climate, and it was the duty of a State to be careful of the lives of its subjects. Young officers of rare and singular promise had been lost to us, and he mourned that those lights had been prematurely quenched. They had destroyed the only Power that had anything like organization and stability

*Mr. Richard*

in that part of the world, and left behind them nothing but anarchy and confusion. What had they got in return for it? They had penetrated 200 or 300 miles into the heart of a barbarous country, with arms of precision and other appliances which perverted science had placed at their disposal, and had encountered and easily conquered an army of brave and ill-armed savages. They had destroyed thousands of those savages, burnt down their principal city, together with the villages and towns on the line of march, and had come back bringing with them an old umbrella, £10,000 worth of old barbaric jewellery, and a treaty not worth the paper on which it was written; for they had no guarantee for its observance — unless, indeed, they sent out another Expedition to enforce it. He could not but express his great regret, in common with the hon. Baronet the Member for Carlisle, at some of the things which had been done during the war. What possible good purpose, for instance, was answered by the destruction of Coomassie? He was not going to censure Sir Garnet Wolseley. That would not be safe; for he observed that naval and military officers, especially when they were successful, were the spoilt children of society. Like the Sovereign, they could do no wrong; but surely they might speak of the officers of the Queen as they could of the Advisers of the Queen, and he asked, what was the object to be gained by that act of Vandalism? Coomassie, he was told, was a town of between 60,000 and 70,000 inhabitants, and although their dwellings were slighter than those we inhabited, still they were the homes and the shelter of the people, among whom must have been many aged and suffering persons, and, in the language of the Liturgy — “Women labouring of child, sick persons, and young children.” These were all turned out when the weather was most inclement — when, in fact, the torrents of rain which fell threatened, by the swelling of the rivers, to cut off the retreat of our soldiers. The condition of the sick and dying, the aged and the young, must, under those circumstances, have been such as to call forth the compassion of every humane person. What good end would be attained by such an act as that? The only answer he had heard given to that question was, that

it was necessary to strike the terror of the British name into the Ashantees and the people of the countries round. For his part, he had no wish that the British name should be a sound of terror either in Ashantee or anywhere else; what he coveted for his country was that wherever its name was mentioned, it should be a sound to awaken emotions of reverence, gratitude, affection, and trust, and not of terror. He was told, too, that what had been done would be the means of preventing the repetition of similar acts on the part of the Ashantees. But that statement was based on the assumption that terror was the only or predominating passion in the human breast. That, however, was not so, for there were such things as pride, hatred, and the desire for revenge, and they knew from the records of history how often these feelings over-mastered fear, and drove men to the most desperate enterprises against those who had inflicted upon them intolerable wrong. No one was more anxious than he for the honour of his country; but there could be no true honour apart from truthfulness and right dealing. Success, however decided and dazzling, was not honourable, if it were attained by a sacrifice of the great principles of justice and humanity. There were some things they had done within the last 20 years, upon which he thought scarcely any Englishman could look back with pride. The bombardment of Canton — the burning and looting of the Emperor of China's Summer Palace — the burning of Kagosima — the demolition of Magdala — and now the destruction of Coomassie — those were things not worthy of a country which boasted that it stood at the head of Christian civilization. Those were not triumphs of Christian civilization, but of barbarism and brute force. He did not blame the Army or the Navy in the slightest degree, for they were only instruments in the hands of others; but they were acts which shocked very many people at home, and which he thought some hon. Member ought to denounce in that House. With regard to the question, whether we should maintain our position on the West Coast of Africa, he was prepared to support the Amendment of his hon. Friend the Member for Carlisle. What were the reasons alleged for our remaining in that country? It was said we were there to advance civilization, commerce, and



Christianity; but looking at the matter in the light of the past, he doubted whether we nor any other European Power had ever as yet civilized any people. On the contrary, some of the saddest chapters of history were those which recorded the result of the contact of so-called civilized and Christian nations with primitive races. They had oppressed them, enslaved them, exterminated them, but never civilized them. Whatever had been done in that direction had been accomplished by Christian missionaries, who had laboured to improve and elevate those nations, and who would no doubt say that in any efforts to be made for the civilization of the heathen, the British Army must be put into the background. It was curious to observe that hon. Gentlemen who supported the Motion had given reasons for doing so, which, in his mind, led to the inference that we had better leave the Coast altogether. The hon. Member for Tamworth himself said that the reason we should continue there was, that up to this time we had only demoralized, disorganized, and debauched the people; it had been said by another hon. Gentleman that the treaties entered into by us with savage nations were mere caricatures, and were a fraud upon, and disastrous to the people with whom they were negotiated; but if those treaties were disastrous to those nations, it could be no great crime to break away from them. He now came to the commercial question, and he believed the hon. Member for Hackney had made a complete reply to the Motion so far as it rested upon that consideration. He had shown that the maintenance of this dependency cost us more than the whole value of the commerce in which we were engaged there. Besides, while the nation paid for the establishment, and for the protection of commerce, the profits of the trade went into the pockets of the merchants resident there, by whom it was carried on. He was always of opinion that it was a great delusion to suppose that commerce could be protected by armies, and forts, and squadrons. If a tradesman applied for the assistance of police to enable him to carry on his business with ease and certainty, and received it, he would probably find it a very good and profitable arrangement for him; but what would the ratepayers say to it? Did they obtain any return

*Mr. Richard*

at all commensurate with the large sacrifices they were called upon to make? They had, moreover, some strong authorities on this subject. The late Duke of Wellington, writing in April, 1828, to Sir George Murray, said that an enormous expense of money and life was being annually incurred on the Coast of Africa for no purpose whatever, and he asked whether it could not be got rid of altogether. In another letter, written later in the same year, he pointed out that the cost of keeping up the dependency was greater than the whole amount of the exports and the imports together. The present Lord Derby also, in his speech at Liverpool, said that he believed it was a matter of fact that trade was found to grow quite as fast, if not faster, in places where we did not exercise political power as in those in which we did exercise such power. Then, as regarded Christian missions, he yielded to no man in the honour and reverence he felt for the men who were engaged in that noble work, and whom he regarded as the true heroes of modern times. They were men who took their lives in their hands, and were content to forego every comfort of civilized life, in order to sow amid barbarous tribes the seeds of Christian civilization. But he believed that the friends of missions committed a fatal mistake when they accepted the assistance of the armed power of this or any other Government, for it was not by such means that they could hope to prosper in their glorious enterprise. If the history of past times were consulted, it would be found that Christianity never required physical power for its propagation, and that missionaries had been successful in proportion as they had been unsupported by the British power, and he knew of cases in which the approach of a British ship of war was regarded by missionaries with dread as being calculated to raise suspicion and prejudice in the minds of the Natives. It was not by warlike prowess that their predecessors conquered the world, neither could their successors hope to attain their end by means of violence now. Some years ago, a mission to Central Africa was resolved upon by the Universities of Oxford and Cambridge. They sent out as their missionary Bishop Mackenzie, a man in every respect most estimable and gifted. In an evil moment, however, he was induced to have recourse to carnal weapons. He was de-

feated, his mission was broken up, and he died broken-hearted. A meeting of the promoters of the mission was held at Oxford after its failure, and at that meeting, while the Bishop was referred to in terms of respect and sympathy, a protest was made against the course which he had adopted by all the members of the Society. Dr. Jeremy said that the Christian missionary ought to know nothing of war. He (Mr. Richard) deprecated trust being placed in generals, ambassadors, or consuls, and still less in gunboats and cannon for the extension of Christianity. For his own part, he did not say that we should retire from the administration of affairs on the Coast abruptly, but he urged that we ought to prepare for as speedy a departure as possible. Convinced that neither civilization, Christianity, nor commerce had been advanced by our connection in the past, and that they were not likely to be promoted by it in the future, he would, with his whole heart, go into the lobby with the hon. Member for Carlisle, in asserting that we ought to withdraw as soon as possible from all entangling alliances with that country.

MR. ALDERMAN W. M'ARTHUR said, he had listened with much interest and with some surprise to the speech of his hon. Friend who had just sat down (Mr. Richard.) The hon. Member was known as the Secretary of the Peace Preservation Society, and as an advocate for arbitration. He would go along with him in advocating the interests of peace so far as they were consistent with national dignity and honour; but he could not be an advocate for peace at any price, and he thought the war which had now happily terminated was a war which we could not possibly avoid, and in which we were not the aggressors. We did not go to Ashantee in order to enforce any treaty, nor to subdue its King for the mere sake of conquest. The King of Ashantee was the aggressor, and we were bound, consistently with the honour and dignity of the country, to repel his aggression and carry the war into his territory. His hon. Friend had asserted that we were to blame in connection with the cession of Elmina from the Dutch to our Government; but the views of the late Government on that subject had been, he (Mr. Alderman M'Arthur) thought, most successfully

defended by the right hon. Gentleman the Member for Sandwich (Mr. Knatchbull-Hugessen.) His hon. Friend had also said that the only Power on that part of the African Coast was that of Ashantee, and had intimated that it was a beneficial power. He had no hesitation in saying that history could not parallel such awful atrocities as had been committed in connection with the Government of Ashantee, and he believed that in the interests of civilization and humanity we had accomplished a good work in shattering that power, and that we were under great obligations to the late Government for the course they had taken with reference to the subject. But if the war had had no other merit than that of drawing attention to the subject, it would still have done a great deal; but having done so, he thought the result would be that the policy advocated by the hon. Member for Carlisle (Sir Wilfrid Lawson), and by the hon. Member for Hackney (Mr. J. Holms), was one which would not be responded to either by that House or by the country at large, especially when it was considered that we had been on the Coast for 50 years, and had overcome difficulties connected with it of the most formidable character. He believed we were now in the best possible position for conferring great advantages upon the protected territory, and for carrying on a large and successful trade. The great defect had been that we had not had a definite policy on the West Coast of Africa, and, considering the way affairs had been managed for so many years past, the only wonder was that matters were not worse than they were. From 1844 to the present time, including Sir Garnet Wolseley, there had been no less than 26 Governors on the Gold Coast, and it was impossible with such continual changes of Government and changes of system that there could have been any prosperity or order maintained on the Coast. If we had a Governor there who understood the country and gave full attention to its affairs, as Captain Glover had done at Lagos, we should have a different state of things, and in a few years see a large amount of prosperity. As it was, however, in 1853 the exports were only £60,000, and the imports £115,000, while in 1872 the one had reached £366,256, and the other, £444,848, an amount which might

be expected to increase considerably now there was no difficulty as to disputed ports, consequent on our acquisition of the Dutch territory. No reference had been made to the sanitary condition of the Gold Coast. It had been said that the Coast was very injurious to health, but he had no hesitation in saying that if proper attention were paid to sanitary matters, a considerable improvement would take place. A few years ago he had brought forward a question with regard to the Cape Coast, which place might be described as one vast dunghill. That colony was in a disgraceful state, not only in respect to its sanitary condition, but also as regarded its supply of water, and he believed the same remarks would apply to other parts of the Coast. He might say the same with regard to other interests. The place, however, could be easily drained, and a good supply of water could be procured from the Sweet River, about seven miles off. The result was, of course, that great and very unnecessary mortality had occurred, and yet, in spite of all, trade had been steadily increasing, and the resources of the Coast gradually developing themselves, while the education of the Natives had been utterly neglected. In Sierra Leone, although £36,000 a-year was paid for salaries and pensions, only £400 a-year was spent in education. Reference had been made to missionaries, and he was sorry to hear the hon. and gallant Member for Stirlingshire (Sir William Edmonstone) say that wherever they had been introduced into a colony they had done mischief. That was the first time he had ever heard missionaries spoken of as doing evil in any form, for hitherto the value of their labours had invariably been acknowledged. With regard to this part of the subject, too, the hon. Baronet the Member for Carlisle had said that the only thing we had done with the Fantees was to make them Christians, and teach them to fight. What, however, were the facts with regard to the missionaries on the Gold Coast? Captain Glover in a despatch mentioned two companies of native Christians, numbering about 100 each, under two captains and accompanied by Bible readers, and said that in action with the enemy they were with the advance, and behaved gallantly; that their conduct was orderly and soldierly; and that they had proved themselves

the only reliable men among the native Force. The hon. and gallant Member for Stamford (Sir John Hay), too, in his work on "Ashantee and the Gold Coast," testified to the value of the services of the missionaries on the Gold Coast, and that was a testimony which might be put against the statement of the hon. and gallant Member for Stirlingshire. He also found that the Wesleyans had 11 missionaries on the Coast, and 2,309 Christian members. Of this he was quite sure, that the missionaries did not interfere in any way with the politics of the country, but, on the contrary, endeavoured to promote the best interests of the Natives and loyalty to the British Crown. He believed that if we withdrew from the Gold Coast it would be most disastrous to our prestige and power, and most injurious to the whole of the Natives; for he had no hesitation in saying that the moral influence which Great Britain had exercised on the Coast had extended very far beyond our Protectorate, and was every day increasing. He believed our Protectorate had been useful and satisfactory to the inhabitants, and he only regretted that we had not followed the advice of Governor Pine, and as far as possible exercised our influence more, and endeavoured to promote municipal Government among the people. He trusted we would not leave the country under any circumstances, believing that we were destined not only to confer still greater blessings upon the Gold Coast, but to carry them far into the interior.

MR. MUNTZ thought that nothing would be more contemptible or more cruel than to withdraw from the Gold Coast, in the affairs of which we were so deeply interested, in order simply to save a few thousands of money. The question, however, was, whether we should enter into new treaties without first submitting them to the House of Commons, or whether we should be continually exposed to war, arising from the fact of a Minister having entered into treaties on his own responsibility. It certainly seemed extraordinary that in the teeth of the Resolution of the Committee of 1865 the Government should have thought fit to enter into a new Treaty with the King of the Netherlands by which we took upon ourselves all the burden of ruling the coast which was under the control of the Dutch, without making

any inquiry as to the nature of the responsibility which we were about to assume. In adopting that course we, in disregard of our solemn obligations with the Sultan of Acheen, threw overboard our Treaty with him, and accepted from the Dutch the transfer of Elmina. He was convinced that if the whole matter had been submitted to the House, it would never have sanctioned the Treaty, for the very first question which arose out of the transaction was whether the Dutch had a right to convey to us not the Castle, but the little district of Elmina, and Lord Kimberley said that we could not accept the transfer of the territory until it was clearly proved that the Dutch had a right to make it over and that the King of Ashantee had no right over it. It now, however, appeared from the Blue Books, that the King of Ashantee had a joint protectorate over Elmina, and that he had entered into an agreement with the Dutch that he should have a right to trade with that place and to the sea without paying duties. It should be borne in mind that Elmina Castle and the territory of that name were entirely different things, and the King of Ashantee being applied to by the King of Elmina, sent down a force to take possession of the town. When he had done that, not having threatened the Castle, Colonel Harley appeared on the scene, and the first thing he did was to declare martial law in Elmina by directions given to Colonel Festing, and then shell the town and destroy it. It was a question in his mind whether that proceeding was not the cause of the war; nor could he find any justification of the Treaty with the Dutch, by which we gave up our protectorate of the Sultan of Acheen and acquired the territory which they had ceded to us. But as to the question more immediately before the House he would observe that it might have been settled very easily after the recommendation made by the Committee of 1865. We were now, however, in a very different position, for having entered into the Treaty, we were bound to adhere to it. The question was not one of profit, or one in which it could be said that the country felt a deep interest, seeing that the trade, which consisted chiefly in dealings in rum, which made the people drunk, and old guns, which were likely to be more fatal to

those who used them than to those against whom they were employed, was a very small one; but if we withdrew now from the West Coast of Africa, in connection with which the only bright recollection would be the bravery displayed by our troops, it would be said by the Ashantees and all the barbarians in their vicinity that we were afraid of them, and the Ashantees would probably revenge themselves on our allies. He could not therefore give his assent to the Amendment of his hon. Friend the Member for Carlisle, nor could he, on the other hand, support the Resolution of the hon. Member for Tamworth, which would tie up the hands of the Government and bind them, as it were, to the adoption of a particular course of policy. It would be better, he thought, that it should be left to the Government to take steps to withdraw gradually from a territory which had been to us only a source of disease, misery, and expense. He hoped, therefore, the House would refuse its assent to both the proposals before it, and would leave it to the Government to take such steps in the matter as they might hereafter deem advisable.

SIR EARDLEY WILMOT said, he should not have risen but that he wished to correct an unintentional misrepresentation put forward by the hon. Member for Birmingham (Mr. Muntz) in the remark he had made as to the shelling of Elmina. The hon. Gentleman said, that Colonel Harley shelled Elmina, and that his doing so was the cause of the late Ashantee War. Now, that was not so. In February, 1873, in the midst of negotiations, without warning, the tide of Ashantee invasion flowed into the Protectorate. Colonel Harley assembled a force of Fantees and went in April to Mansu to meet the enemy. He sustained a disastrous defeat, and was driven back to Cape Coast Castle. He wrote home, and early in May, Colonel Festing, with 110 marines, was sent out, and arrived at Cape Coast Castle on the 7th of June. With that energy and heroism for which he was distinguished, he and Lieutenant Wells—whose early death we had since to lament—and not Colonel Harley, shelled Elmina, killing, as was said, many thousands of the Ashantees, and obtained an important victory. With regard to the conduct of the Government, however, he had already expressed



his opinion in that House that they were justly blameable for great delay, as they did not send out the officers until the 10th of September, and the troops not until December. He would therefore refrain from again alluding to the subject at the present time. As regarded the question before the House, he agreed entirely with the observations made by his right hon. Friend the Member for Sandwich (Mr. Knatchbull-Hugessen), for he considered that the honour and interests of the country demanded at a moment like the present, when we had induced a weak State to trust to us, that we should not withdraw from the country and leave them to themselves. It was our duty to stand by them, and he hoped the name and force of England would be maintained on the Gold Coast for that purpose. He was satisfied that Her Majesty's Government would maintain the honour and dignity of the Empire by the manner in which they would deal with this important question.

MR. KINNAIRD thought that the hon. Member for Lambeth (Mr. Alderman M'Arthur) had sufficiently vindicated the missionaries from the reflections which had been cast upon them. As to the climate of the Gold Coast, its unhealthiness might, he believed, be much mitigated by proper sanitary arrangements. He hoped that the Government at this critical moment would employ Sir John Glover—who had shown himself fully competent for the task, and had the entire confidence of the Natives—in restoring order on that Coast. If peace were once restored there, commerce would probably flow in its ordinary channels. He could not accept the hon. Baronet the Member for Carlisle as his leader on the question, for he thought the idea of abandoning the territory most absurd. It was impossible they could do so without inflicting the deepest injury on those immediately interested, and without prejudice to the cause they were at that moment pursuing—namely, the suppression of the slave trade.

ADMIRAL ELLIOT said, that there was a circumstance connected with the late war which had struck him with astonishment. During the whole of the time the Government had at its immediate command two powerful squadrons, maintained at great expense by the country, for the special purpose that they

might be prepared for any sudden emergency. He alluded to the Channel Fleet and the Flying Squadron, each consisting of six powerful ships, each ship manned with—on an average—500 men, having on board field-pieces, rockets, small arms, marine artillery, and, in fact, everything necessary for war, and yet they had not been utilized for the purposes of that expedition. Those squadrons might have been on the Gold Coast within a fortnight from the time of giving them orders, and they might easily have landed a force of two or three thousand men, who would have done good service before the troops sent out arrived. They might have greatly assisted Captain Glover, who had to wait to perfect his plans, and that delay was the principal cause of his not being the first to enter the city of Coomassie. He had never received any answer when he had inquired into the cause. He had heard of the Flying Squadron cheering the troop-ships as they passed Madeira, and of some of the ships taking part in a regatta on the coast of Spain. If Spanish affairs required that we should have a naval force there, surely the Mediterranean Fleet was all-sufficient for that purpose. He was quite at a loss what excuse could be made for the negligence of the late Government in not employing the Navy on that occasion, and wished to know the reason for such neglect? Now that it was all over, it was his firm belief that if this country withdrew from the Gold Coast, something worse than the horrors of slavery would commence. He had been two years senior officer on the Coast of Africa, and knew something as regarded the trade which we were invited to encourage. From what he saw, he should say there was a profitable trade in spirits, powder, and arms, and he was not surprised to hear the hon. Member for Hackney (Mr. J. Holms) rather inconsistently suggest, in the name of the merchants who traded there, that they should be left to themselves, without Government control or supervision, except an occasional visit from a gunboat. He (Admiral Elliot) knew exactly what that meant. First of all they would debauch the people by supplying them with spirits; then they would supply them with the means of warfare; and then, when they got into trouble, they would call in the gunboat to protect

them. If the recommendations of the hon. Member were accepted, this country would be supporting by force of arms one of the most nefarious traffics in the world. He would recommend quite a different course. If there was trade at all, the sale of spirits, arms and powder, ought to be strictly prohibited, and there not being the same facilities for smuggling on the Coast as elsewhere, our men-of-war would be able to enforce the prohibition; but if there was to be no Government supervision, there ought to be no trade. He had once to go 40 miles up the Congo and capture two piratical vessels, to bring out which he had to use force against people on shore supplied with arms and gunpowder by our traders. On another occasion, he closely blockaded a part of the Coast where 2,000 slaves had been collected in the barracoons, and after some time the vessels left empty, finding they could not escape, if they embarked them. On inquiring what had become of the slaves, he was informed that as they could not be embarked and could no longer be fed, they had been turned adrift, and as it was freely admitted that they would never regain their own territory, they must have perished from starvation. After disturbing the country so much, it was our duty to civilize it. Our moral influence there was great, and our missionaries—if asked to speak—would say—“Take away the trade, but leave us Government support, and the presence of men-of-war.” Well-regulated trade would conduce to civilization; but if there was a sincere desire to civilize the native tribes, spirits should be prohibited. As long as his men were at sea there was no occasion for severity, but he was always afraid to land them near a spot where there was British power, the result of access to rum causing breach of discipline and cases of sickness. Whether things had improved since, he could not say. If, however, it were proposed that we should abandon the Coast, we should look at the position in which we had left the native tribes since we had put an end to the slave trade. We had incurred vast expense in putting an end to the slave trade, and it was impossible we could now take any steps which would have the effect of producing worse evils—namely, human sacrifices.

MR. ROEBUCK said, he hoped that the discussion would not close without some expression of opinion on the part of the Government as to what course they intended to take. Statements had been made without due consideration as to our colonial history. There were various countries in the world with which this country had been connected, and others with which she was still connected, each of which they had been obliged to treat in a different manner. First, there was North America, a vast region inhabited by warlike tribes of savages, who eternally made war upon and slaughtered each other, and hon. Members who were eloquent on this subject should consider whether it would have been better for the world had England never gone there and left it to the Natives? or was it in the interests of humanity and civilization that they did so? He thought it could not be disputed that those interests had been served by that colonization. Then there was another part of the world—India. We went to India, and we conquered it, and foreign nations considered that we were deserving of much credit and glory for having done so, and for having maintained our sovereignty there, but it was a question in his mind whether we had been justified in so doing. It was, perhaps, a glorious thing for England to have conquered India; but he could not help thinking that in the interest of humanity we ought never to have been there. Then there was Africa. Africa we found already peopled, and the introduction of European life impossible. There had been talk of our carrying the torch of civilization into Africa, and of our humanizing and Christianizing it; but what change had we effected during 200 years? Why, we had introduced gunpowder, arms, and rum. It might be said we had put down the slave trade; but he had been informed that the consequence had been an almost infinite increase in human sacrifices, owing to the population now pressing on the means of subsistence. They should take that fact into account, in considering the benefit they had conferred upon Africa by the abolition of the slave trade. But, again, it was said that our merchants were very much interested in the Gold Coast Settlements. So they were; but our merchants, he was afraid, were not very cautious or regardful of the prin-

ciples of morality, where merchandize was concerned. He always found that where English commerce entered, there followed arms, and spirits, and gunpowder; so that wherever the British merchant went with his merchandize—or what he called civilization—he gave the means to the people of debauching themselves by drink, and of acquiring terrible habits thereby, and put into their hands more powerful means of slaughtering each other. That was the great aim of the increase of the merchandize of England. The question was, ought we, in such a state of circumstances, to remain on the West Coast of Africa? He perfectly agreed with those hon. Gentlemen who said that we could not retire at once. To do so would simply be to increase anarchy, confusion, murder, and slaughter of every kind, and demoralization of a very hateful description. We might, however, so shape our policy as to govern the people with the understanding that we were preparing to go away and leave them to govern themselves, doing what we could meanwhile to assist them in the transition from their present state to that in which they would be when, after some time and consideration, we withdrew. He believed the true policy of England to be to hold the position she now held, but to give the people distinctly to understand that she would not hold it long. When this had been accomplished we should have done something to remove the danger and mischief which we had already done, and we should have done the utmost that we could do to aid the civilization of that country.

MR. E. JENKINS said: Sir, if the “intelligent foreigner” had had an opportunity of listening to the debate which has taken place on this question, he might well have said that the British nation is one of the most perverse and inconsistent in the world; for he would have heard a proposal with regard to a territory one-half of which has been associated with British rule during more than 200 years, with respect to the other half of which the British Government has within two or three years assumed a protectorate, and with regard to the whole of which, during the last few months, a costly and difficult war has been crowned with victory and success—he would have heard an hon. Gentleman get up in this House and propose that

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we should relieve ourselves of all responsibility relating to that country. But the feeling of the “intelligent foreigner” with regard to our inconsistency would not have ended there. He would have observed that we are a Christian and a philanthropic nation; for so long as the slave trade existed we had maintained our position in the very territory which is in question both by force and by fraud; and now that the slave trade is abolished, it is proposed that we should forget the obligations which we undertook to protect the people; and, lastly, that having enervated them by a mixture of rum and Christianity, we should abandon them to the licence of a cruel and vindictive foe. Whether we regard this proposition as Christians, or as traders, or as Englishmen, this House will, I think, acknowledge that the proposition of the hon. Member for Hackney (Mr. J. Holms) is both ignoble and cowardly. And it is not because I believe for one moment that it is possible that either this House or the people of England will support the proposition of my hon. Friend (Sir Wilfrid Lawson), but because I believe the blush of shame will rise upon the cheek of every Englishman who hears the proposition, that I get up to protest against it. My hon. Friend has admitted that there was one administration, at all events, at the Gold Coast under which the affairs of the colony flourished—I mean the administration of Governor Maclean, which took place under a company of African merchants. If a company of African merchants could produce an administrator who for 14 years conducted the affairs of that territory with unexampled success, it appears to me that a nation such as Great Britain, which could give birth to a Maclean and a Wolseley to fight its battles, could also produce administrators capable of administering the affairs of the territory. It seems to me—and I hope my hon. Friend will forgive me—that it is not too much to characterize the proposition which he has brought forward as simply childish. The history of the British administration in this colony has been one of blunders and failures arising out of incapable administration on the spot, as well as an indeterminate policy on the part of Her Majesty's Ministers. I have no hesitation whatever in saying that the cause

of the late war, like the cause of many wars which have arisen in the course of our colonial administration, was due to the absence of a candid and definite policy at the Colonial Office, and of due regard to our obligations entered into with a people with whom we had come into contact, and whom we affected to govern. It is certainly a proposition which has had support in high quarters, that when we find it difficult to govern our Colonies we should abandon them; but if it be shown that that has arisen from the deficiency of capable administration at home, the country will not be so ready to support a proposition such as this of my hon. Friend, that we should make up for the defects of our policy in the Colonies by abandoning them. What we in this House, acting on behalf of the country, have a right to insist upon is—that we should have from the Treasury Bench a declaration of general colonial policy, and a declaration of specific policy with regard to this colony. It seems to me that Her Majesty's Ministers suffer from a species of somnambulism, for they apparently walk about with their eyes open, but that their brains are shut. We had hoped, from the patriotic anxiety exhibited by the Prime Minister with regard to the Straits of Malacca, that we should have been able to receive from him some clear policy respecting Ashantee; but we look at the Treasury Bench for any utterance on this question in vain. The policy of the Ministers is a policy of silence, for we do not hear a single word as to the course they intend to pursue. Our colonial administration hitherto has been conducted on the basis of concealing from the country what the Ministers are doing, and the consequence is that we have had a succession of surprises sprung upon us from time to time respecting our Colonies in different parts of the world. I do not say this in any antagonistic spirit to the Ministry; but I contend that, so far as concerns Africa, we should have a thorough practical administration, and that the country should know what are the intentions of the Government. My right hon. Friend (Mr. Knatchbull-Hugessen) reviewed, in the course of an exhaustive speech, the causes of the recent war with Ashantee. But I cannot agree with him in his account of the reasons for that war, or in his deductions from it. It seems to me, if it can

be shown that the war was unnecessary; that it could have been avoided; and that we might have taken peaceful advantage of the cession to us by the Dutch of their West African Settlements, my hon. Friend's argument as to the Treaty is neutralized and enfeebled. That is the view which I desire for a moment to press upon the House. My theory is that we could have avoided this war—that a trade might have been established peaceably by Treaty, and the war not have been necessary at all. I agree with the statement made by an hon. Gentleman, and also enforced in a very able article in *The Pall Mall Gazette*, that the Ashantees had been preparing for the late war, and had for years made up their minds to it. Anyone who attentively studies the Blue Books on the subject will agree that that is not too strong a statement. The King of Ashantee did not himself desire to go to war, but he was urged on by his Chiefs. It is true, also, that the Kings of Ashantee and Elmina were not friendly to cession. But why were they not friendly? Because we had not enforced those treaty obligations into which we had entered. I look for the cause of the war to the negotiations for the cession by the Dutch to us of their African Forts, and to the circumstances of that cession. I am sorry to say that I cannot agree with the right hon. Gentleman (Mr. Knatchbull-Hugessen) who has to-night, in his defence of the late Government, endeavoured to show that everything was done which ought to have been done regarding the cession to preserve peace in those territories. I am not going to attack the late Government, because I believe that, so far as they were informed by the despatches sent to them, they acted to the best of their ability to prevent the late war; but I believe I shall be able to show that the origin of the war was due to the mismanagement of the officials in these regions. I do not propose to attack the late Government for negotiating the transfer of the Dutch Forts to ourselves. It has been shown by the right hon. Gentleman to-night that such was the state of affairs in these colonies previous to the transfer, that there was nothing left to us in the interests of peace and in our own interests in that part of the world, except to go in for the transfer. But while I distinctly approve of the policy of consolidation, I



must criticise the manner in which that policy was carried out. The causes of the war were of a complex character. So far as the King of Ashantee was concerned, the causes of the war are easily told. First, there were his relations with the Dutch, and the transfer of Elmina from the Dutch to ourselves; secondly, there was an interference with his feudatory and tributary rights; and, thirdly, there was the difference between the Dutch and English policy with regard to Customs' duties. These three points were of great importance, and they did indeed suggest themselves to Her Majesty's Government in conducting the negotiations; but when we come to criticize the manner in which the negotiations were carried out, it appears to me that the Government did not exercise due caution. Let us ask, what was actually done? We have heard from the right hon. Gentleman (Mr. Knatchbull-Hugessen) that Her Majesty's Government took every precaution to prevent collision with the various Chiefs interested in the transfer. We may take it for granted. Anyone who reads the despatches should read between the lines, and he will hear the plaintive voice of Lord Kimberley saying to Mr. Pope Hennessy, Mr. Ussher, and Mr. Salmon—"My dear Sirs,—Do not complicate us with the Chiefs. Do not go into the transfer at all if we are likely to come into collision with the Chiefs." This is almost the first time in the history of the Colonial Office that they endeavoured to do a wise thing—namely, accept the transfer—and therefore they were cautious of anything like hostilities arising out of it. But what was done? The right hon. Gentleman has informed us that a gentleman of the name of Plange was sent by the Dutch agents to the King of Ashantee to ascertain what his claims were regarding Elmina. Well, the right hon. Gentleman has read a letter which was written by the King of Ashantee at the time, and I wish to call the attention of the House to it, because I do not put upon it the same interpretation as the right hon. Gentleman has done. This Mr. Plange, who is he? The right hon. Gentleman, forgetting that Mr. Plange was employed as the agent of the British Government in these negotiations, calls him the man Plange. He was a Black man, and was sent up by the Dutch Government to the

*Mr. E. Jenkins*

King of Ashantee to get a repudiation of his claims upon Elmina. Just read the letter. The right hon. Gentleman read it, but I do not think the House saw what its true significance was. According to this letter, the King of Ashantee was got to declare that he had claims on Elmina for tribute to the extent of £80 sterling a-year, and he was got to say to Her Majesty's Ambassador, Mr. Plange—"I only meant board wages or salary." That is a very wide and general term, and it seems to me that if I had been in the position of Her Majesty's Ambassador, and if I had been conducting a negotiation of this importance, I should have asked what the meaning of board wages or salary was. But the King of Ashantee afterwards declares that he has certain claims upon the King of Elmina, and at the close of the letter he says his expression was vague, and that the whole was a mistake. Upon that document, strange to say, Her Majesty's Government arrange the transfer to England of the Fort of Elmina, and in order to satisfy the King of Ashantee with the transfer, the Government, or rather Mr. Pope Hennessy acting on behalf of Her Majesty, offered to the King, instead of £80 a-year, a double tribute of £160. Now, what I wish to say is simply this, that the transaction must have appeared on the face of it a futile one. What was the use of offering to a man receiving in tribute 20,000 ounces of gold per month, a sum of £160 as an acknowledgment of his tributary claims upon Elmina? I ask the House whether with such a letter as that, coming through so questionable a channel as Mr. Plange, Her Majesty's Government were justified in accepting as they did the transfer from the Dutch? It is perfectly clear what happened. The Dutch, as all diplomatists on the Continent appear to be, were altogether too sharp for us. The business of the Colonial Office is not diplomacy, and the only excuse we can offer is that if the matter had had been left in the hands of the Foreign Office it would have been equally mismanaged. But there is another point to which I wish to refer, because it shows how the war was brought about. We find that Mr. Pope Hennessy did all that could be expected of a gentleman in his position to bring about an arrangement. We find that he presented

to the King of Ashantee a ring, marked with the 12 signs of the Zodiac, and with some affectionate sentiment engraved, and he also sent him on behalf of Her Majesty some gold-embroidered cloth, thinking these gifts were enough to satisfy him that his interests would not be affected by the cession. Why, what was done? The cession took place 15 or 20 days before the King of Ashantee was informed of it; and, at last, instead of informing him by means of an Embassy, which would have pleased him, he was made acquainted of the fact of the cession by a letter from Mr. Pope Hennessy. In dealing with these barbarians—as they have been called on both sides of the House—one would have expected the same delicacy of feeling to be exhibited by diplomatists as would be displayed by British merchants. We might, in the first instance, have sent an Embassy, and not Mr. Plange. If a proper Embassy had been sent, and the King of Ashantee had been assured that there was no intention on our part of interfering with his trade through Elmina, and that he would have free and open paths to the Gold Coast, I believe we should never have heard of the war at all. But of course when Mr. Salmon closed the ports and intercepted the Ashantee traders, who thus became liable to the extortions of the Fantees, they looked upon the matter as one of life or death. Well, the charge which I bring against the late Government is that, in negotiating the transfer of the Dutch ports, they ought to have done so in a way to give to the Ashantees the assurance that their trade to the Coast would not be interfered with. It seems that there was considerable excitement in Elmina at the time of the cession, and one of the most ludicrous incidents in that affair is the description given in the Blue Book of the way in which Mr. Pope Hennessy tried to “comb down” the King and his Chiefs. Governor Hennessy, it seems, held a palaver with the King, and told him the Government was willing to restore him to the stool. The Secretary goes on to say—“Governor Hennessy came to my office, where I was then writing, and asked me the name of the King, which I gave him, and he then returned and said, ‘I recognize you as King of Elmina, and I send you a present of two pun-

cheons of rum.’” When you consider that this was the manner in which this was done, and that it was done by a volatile Irishman—[“Oh, oh!”]—who did not know even the name of the King with whom he was carrying on his negotiations, but was obliged to escape out of the palaver hall to get the name from his Secretary, and when he had done so he returned, called out the King’s name, and said, “I recognize you as King of Elmina,” you cannot be surprised at the result. It seems to me, therefore, that the defence of Mr. Hennessy is lost. If he did that which I have read in these negotiations with the King of Elmina, what would he do with the King of Ashantee? I cannot conceal that this is a matter in which it is most difficult to come to a conclusion. I feel it is a most difficult thing to see how we are to balance our obligations to the poor creatures who are on the spot and our duties to the taxpayers who are at home. Whilst we have expended £2,090,000 in maintaining our power on this Coast, our whole trade has only amounted to £2,300,000. If it was necessary that we should have gone to war, still we cannot throw into this account the £800,000 that has gone to Ashantee. But what I am here to maintain is, that if we had had capable Administrators this war would never have taken place. It seems to me that if we had had men there properly trained and of proper abilities, we should have been able to avoid this war. The question is—what is to be our policy for the future? I trust the Government will be prepared to give a satisfactory answer to the question—for it seems to me that in our relations with our Colonies, and especially with Colonies holding the anomalous position of that on the Gold Coast, it is absolutely necessary that the Government should carry the country with it. What do Her Majesty’s Ministers propose to do? We have heard suggestions from both sides. If I have any suggestion to make to the Government, it is this—that they should try to carry out the policy which was suggested by the Prime Minister in 1853. We should try to form a Convention of native Chiefs, a Convention over which an able Administrator should preside on behalf of Her Majesty’s Government, and to which we should invite the attendance of such British traders on the spot as are men of

ability, and have a permanent interest. We ought no longer to send out as Governors, men who had already worn-out constitutions, and whose chances of success in their new duties were utterly hopeless. The British Governor should be a man of tried ability, experienced in public business. By offering a sufficient salary we should always be able to secure a healthy Administrator, who should live on the spot. All that had been said about the unhealthiness of the climate came to nothing in the face of the fact that Mr. Maclean had been Governor of the Colony for 14 years, and that an ex-Governor, an hon. and gallant officer, had only recently died at upwards of 80. I have heard the hon. Member for Merthyr (Mr. Richard) advocate the policy of abandoning the Coast on the ground of promoting peace. This is a kind of peace which, to my notion, "passeth all understanding"—for it is a peace which has regard only to the pockets of the British taxpayer and ignores universal humanity. Is it a proper deduction from these principles that we are to abandon the native tribes, whom we have enervated by rum and Christianity, to their vindictive foes? We have incurred the moral obligation of defending them, from which we are not at liberty to recede—we cannot now repudiate engagements which we have sealed with the blood of our brave soldiers at Coomassie. If we take this course, the trade we have created and the civilization we have introduced will perish away—Christianity itself will be extinguished; and when her lights are extinguished, where is the Promethean torch which will re-illumine that gloom?

MR. J. LOWTHER said, that he rose in reply to the challenge of the two hon. Gentlemen who had preceded him, to state the view which the Government took of the Motion and Amendment now before the House. In so doing, however, he should resist the temptation which had been dangled before him by the hon. and learned Gentleman who had just sat down (Mr. E. Jenkins), and abstain from availing himself of the opportunity of making any general declaration of the colonial policy of the Government. He hardly thought that would be consistent with Order or with the convenience of the House. Neither was it his intention, in the

*Mr. E. Jenkins*

remarks he was about to offer, to enter at all into the causes of the recent war which had just been brought to so happy a conclusion. In the first place, he was not officially in a condition to be informed of those matters, and the subject had been most fully and ably disposed of by the right hon. Gentleman who had preceded him in the office he had now the honour to hold. In the course of the debate—especially in the able speech of the hon. Member for Tamworth (Mr. Hanbury)—attention was drawn to the Returns which had been laid on the Table regarding the Revenue and Expenditure of the British Settlements on the West Coast of Africa. He wished to make one or two remarks on the subject, because he thought hon. Members would have some reason to complain, if the Returns furnished to the House were not accurate; and from the remarks of his hon. Friend who brought forward this question, an impression was left on the minds of some that these Returns required some explanation. He wished, therefore, to say with regard to these Returns of Revenue and Expenditure on the Gold Coast, that the statement of some items appeared rather deceptive unless explained. His hon. Friend had asked how it was that there appeared this large balance under the head of "Remittances to the Crown Agents?" It would have made the Returns more intelligible if it had been stated that they were, in fact, the Colonial Treasurer's accounts of moneys which had passed through his hands during the year, and included under the head of expenditure the remittances to the Crown Agents, which were, of course, to the credit of the colony, and did not, on the other hand, include the payments, or a great part of them, made by the agents, on account of the colony, in England. He should also say that the Return of 1872 was made up after a slightly different fashion from that adopted in regard to the Return of the previous year. In 1872 the Expenditure was set down—taking it in round numbers—at £50,000 against a Revenue of £40,000, showing a deficit of £10,000; but it should have been stated that in the Revenue no account seemed to have been taken of a surplus from 1871, which would increase the amount to £47,900. There was a balance on the 31st December, 1872, in the Colonial

Chest of £2,239; but at the same time the colony owed the Crown Agents £2,360, so that the deficit was £2,500. He might further observe that the expenditure of the colony had been considerably augmented of late years by the addition of that necessary article, a colonial steamer. Having explained these apparent inaccuracies, he would say, as regarded the expenses of the colony, it was undoubtedly true, as stated by the hon. Member for Hackney (Mr. J. Holms), we did not and could not pretend that these colonies had been self-supporting. He did not in any way over-state the case. He frankly admitted that these wars, and the large and various expenditures to which the hon. Gentleman and others had called attention during the debate, undoubtedly far eclipsed any increment of Revenue and any surplus accruing during our occupation. He would also admit with equal frankness, that the hon. Member for Hackney was substantially right in what he said in regard to the amount of trade on these Coasts. He drew a not unfair comparison between the total amount derived by traders and the amount which the Imperial Exchequer had been compelled to pay in respect of the Government of the Gold Coast, with regard to the justice of which, it would not be too much to say that it would be perfectly idle for anyone to rise in that House and attempt to make out that the trade of the Gold Coast had hitherto been, or would ever hereafter become, of such magnitude as to compensate us for the sacrifices we had been compelled to make. But the hon. Member went on to advocate the withdrawal of the British protection from the Gold Coast upon grounds which, to his mind, were not at all tenable. He appeared to think it sufficient to prove that these Settlements had not been commercially successful; that this country had not been actually in pocket by the transaction, in order to make good his case for an immediate withdrawal from the Coast. He drew a comparison between the ports within the British Protectorate and the ports in no way under our flag, and drew the inference that trade flourished as well and, as he said, perhaps, rather better where the British flag was not hoisted than where we were in occupation. His argument went to show, and he showed to his own

satisfaction, that the first effect of our withdrawal from the Gold Coast would be a considerable augmentation to our trade. That brought him (Mr. Lowther) to an element in the debate which he looked upon as a great relief, and that was the interposition of the hon. Member for Carlisle (Sir Wilfrid Lawson). Notwithstanding the very sober view which that hon. Gentleman took of that and all other subjects, his speech had had a most exhilarating effect upon him (Mr. Lowther), and, he thought, upon the House generally. What did his hon. Friend say in regard to that portion of the hon. Member for Hackney's remarks? The hon. Gentleman took exception to the British Protectorate upon the ground that we were the cause of introducing on the West Coast of Africa, and into the interior, a certain article of commerce, which it was well known the hon. Member viewed with especial abhorrence. The hon. Member for Hackney said, that if we withdrew from the Coast, trade would increase, while the other hon. Gentleman the Member for Carlisle said—"For goodness sake go away from the Coast, because that will destroy a trade which is the cause of injury to the Native races, and which is dependent for existence upon British occupation." He might fairly ask which hon. Gentleman was the better informed on the subject. The hon. Member for Carlisle had fairly stated the trade of the Gold Coast. It was perfectly true that in 1872, out of total imports of something like £260,000 odd, these items figured—£77,000 odd for spirits, and £6,000 for guns and gunpowder; and many of the other articles introduced, such as cutlery, might fairly be placed under the heading of illegitimate trade. For instance, the item of £18,000 for tobacco came within the category referred to by the hon. Member for Carlisle, though he (Mr. Lowther) did not wish to undervalue the soothing effects of the narcotic herb. The hon. Member would see that the withdrawal of British protection would not stop the importation of these articles, if, as the hon. Member for Hackney asserted, trade flourished as well without the British flag as with it. The action of the Government with regard to trade was confined to the imposition of duties on those very articles specially referred to by the hon. Member for Carlisle,



for though the hon. Member for Hackney had referred to an ordinance of 1873 putting an *ad valorem* duty of 10 per cent on all other imports—with certain exceptions, that ordinance was speedily repealed. The hon. Member for Carlisle entertained peculiar views on the effects of a protective tariff; but he himself could not see that the imposition of duties on certain articles promoted their importation. As to the climate, which had very properly received much attention in the course of the debate, the hon. and gallant Member for Stirlingshire (Sir William Edmonstone) had said he had been upon this Coast off and on. He was inclined to think the House might congratulate itself that he had been rather more off than on, or it might not have had the advantage of listening to his observations. As it was, however, he should not be doing his duty if he held out the slightest expectation that the West Coast of Africa could be brought into the condition mentioned by the hon. Member for Lambeth (Mr. Alderman M'Arthur), and made a healthy station. It was true that the neglect of the most ordinary sanitary precautions, which had long prevailed, was responsible for no inconsiderable proportion of the sickness and mortality, and if any arrangements which might be in contemplation for the future government of the Coast should involve better attention to such precautions, a considerable abatement might be hoped for in that mortality; but no human agency could render the climate suitable for Europeans. The death-rate among Europeans on the West Coast generally was 21 per cent per annum, which was far in excess of that in any civilized community; but as many, perhaps, as actually expired within these tropical climates, returned home to linger a longer or shorter time, the effect of prolonged residence being eventually fatal in many more cases than those included in the death-rate. The frequent changes in the Government officials had been condemned; but the figures he had just quoted showed that past Governments had not been responsible for those changes. He regretted the severe condemnation passed by the hon. and learned Member (Mr. E. Jenkins) on the administration of Mr. Pope Hennessy, who was formerly an able and distinguished Member of the House, and was now

known in the Colonial Office as a faithful servant of the Crown. Mr. Hennessy had to preside over the Gold Coast at a time of peculiar embarrassment, and had discharged very difficult duties to the satisfaction of all who had had the supervision of his administration. As to the future, the hon. Member for Carlisle might think he (Mr. Lowther) had gone a long way towards proving his case, by frankly admitting the position of the trade and the effects of the climate. He had felt bound to make those admissions, because no Government would be justified in undertaking to carry on the affairs of such a Settlement without clearly submitting all the facts; but he was by no means prepared to deduce from them the conclusions of the hon. Member. This country could not adapt its policy at any given moment to considerations of mere finance. He, however, could assure the hon. Gentleman that Her Majesty's Government had not the slightest intention of entering upon a crusade against barbarism, and calling on the Chancellor of the Exchequer for unlimited supplies to penetrate all the strongholds of Satan, as they had been styled by the hon. Member. Although the present Government were disposed under no circumstances to disregard the obligation incumbent upon them, of discharging their duty towards all the subject-races which might come within Her Majesty's sway, or within the reach of Her officers, there was no intention of carrying that doctrine to the extreme length which had been referred to, and it was hardly likely that, with the death-rate he had mentioned, they would propose a Quixotic enterprise to offer up an annual hecatomb on the shrine of a mawkish philanthropy. Neither was there any intention of unduly accepting obligations, or of involving the country in the difficulties and dangers deprecated by the hon. Member. The question had been asked, what policy the Government intended to pursue; but it was much easier asked than answered. Asking a question required but a few minutes of reflection, while the answer might involve not only anxious consideration, but an accumulation of facts, not always within the immediate reach of those whose duty it was to form a judgment upon them. He would, however, say that the country having been so recently involved

*Mr. J. Lowther*

in war on the Coast, Her Majesty's Government would be most anxious to obtain the advice and assistance of those distinguished naval, military, and civil officers who had been engaged in conducting it, before arriving at any definite conclusion with regard to the future of the Gold Coast. He thought, therefore, he would not be asking too much of his hon. Friend the Member for Carlisle and the hon. Gentleman who had introduced the subject, if he urged them not to press for an immediate answer to a question, which upon their own showing required the most anxious and mature deliberation. He might, however, hint at one or two things which the Government were not prepared to do. He might say at once that "total and immediate withdrawal"—these he believed were the words used—was from various causes absolutely impossible. He would like at the same time to point out that the Government and the House would be most unwise in committing themselves to the affirmation of the principle that we were for ever to remain on the West Coast of Africa. It would, as he had intimated, be the duty of the Government, in consultation with those who had been in a position practically to learn the lessons of this war, and form conclusions as to the future of the Gold Coast, to consider this question, and, in the event of our continuing there proving to be a necessity, to see whether any modifications and alterations in the system of administration could with advantage be introduced. The House would excuse his giving any further details. The matter was now receiving the most anxious consideration from the Government. As soon as any definite conclusion was arrived at—he was not, of course, pretending that the matter was not already well-nigh matured, but certain modifications might yet occur—and as soon as the question was in a position to be placed fairly before the country, no time would be lost in laying the views of Her Majesty's Government before Parliament. In conclusion, he would address a word to his hon. Friend the Member for Tamworth, and ask him to withdraw the Motion which he had made. His hon. Friend would probably agree with him that he had succeeded in eliciting a most valuable expression of opinion from both sides, and ascertaining very clearly the general sense of the House of Com-

mons on the subject. He would also make so bold as to address a similar appeal to the hon. Baronet the Member for Carlisle. His hon. Friend would see that there was a disposition on the part of Her Majesty's Government to view all the points he had placed before the House with impartiality and in a fair and candid spirit, and he trusted, therefore, his hon. Friend would not feel bound to take the sense of the House upon his Amendment.

MR. HANBURY said, he was quite willing to withdraw the Motion, provided the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) would consent to withdraw his Amendment.

THE MARQUESS OF HARTINGTON said, he did not wish to detain the House, but thought he might be excused if, after what had fallen from the hon. Gentleman the Under Secretary of State for the Colonies, he appealed to the hon. Baronet the Member for Carlisle not to persevere in pressing his Amendment. If his hon. Friend felt any doubt before as to what his conduct ought to be, that doubt should be greatly dissipated by the speech of the hon. Gentleman opposite. The hon. Gentleman had not announced any decision on the part of the Government, either in favour of remaining or retiring from the Gold Coast. There was no doubt that the discussion on the subject had been very valuable, and would greatly assist the Government to form an opinion; but to press the House to give their assent to an abstract Resolution, either such as that proposed by the hon. Member for Tamworth or the hon. Member for Carlisle, would not in any degree contribute to the settlement of the question. The question was not to be settled by abstract Resolutions; it was a matter of very difficult practical politics, and upon such a question the House had a right to expect they would receive the guidance of the Government; while the Government had no right to expect that the responsibility of a decision would be taken off its hands. His hon. Friend the Member for Carlisle could not promote his views by pressing his Amendment. If his hon. Friend yielded to the appeal made to him, he would have the satisfaction of knowing that his views had been ably advocated, and that he had received the assurances of the Government that they would receive the most candid consideration.

But, if his hon. Friend pressed his Amendment, he would compel the House to give its decision, not only on his Amendment, but on the Resolution of the hon. Member for Tamworth; for if the Amendment was pressed, it would be impossible for the hon. Member for Tamworth to withdraw his Motion. He would, therefore, put it to his hon. Friend whether it would be of advantage to the views he entertained to force the House to give perhaps an overwhelming expression of opinion contrary to the policy which he approved.

MR. ANDERSON rose for the purpose of moving a further Amendment, but—

MR. SPEAKER said, the Motion of the hon. Member for Tamworth and the Amendment of the hon. Member for Carlisle were now before the House. If the House would allow the hon. Member for Carlisle to withdraw his Amendment, another Amendment might be discussed.

SIR WILFRID LAWSON said, he did not intend to withdraw his Amendment. What was worth discussing, was worth dividing upon.

SIR RAINALD KNIGHTLEY said, that there was a general feeling in the House, that it was desirable not to divide either upon the Motion, or upon the Amendment; and under these circumstances, in order to get out of the difficulty in which the House was placed by the hon. Mover of the Amendment not withdrawing it, he would beg to move that the debate be adjourned, and if that Motion were carried, the House might appoint that day six months for the resumption of the debate, and so get rid of it altogether.

Motion made, and Question put, "That the Debate be now adjourned."—(Sir Rainald Knightley.)

The House divided:—Ayes 311; Noes 75: Majority 236.

SIR RAINALD KNIGHTLEY said, he would now propose the 31st of July as the day to which the debate should be adjourned.

SIR WILFRID LAWSON said, if the hon. Baronet the Member for South Northamptonshire had named a rational day, he would not have said a word; but it was obvious that the hon. Baronet intended to prevent this subject coming before the House again. His hon. Friend the Under Secretary for the

*The Marquess of Hartington*

Colonies had stated that the subject was under the consideration of the Government, and unless the Government promised that before the end of the Session hon. Members should have an opportunity of fairly discussing this matter, he should be compelled to divide the House on an Amendment that the debate be adjourned till to-morrow, in order that the views of the Government might be fairly put before the House.

MR. DISRAELI: Sir, the subject of our Settlements on the Gold Coast, and the policy which we ought to adopt with regard to those Settlements, is under not only the immediate, but I may say, under the daily, consideration of Her Majesty's Government, and it was only this day that our attention was particularly called to the subject. The moment that we have arrived definitively at conclusions—which I have no hesitation in saying we have arrived at in great scope, though there are certain details yet to be matured—that policy will be brought before the consideration of Parliament by the Minister peculiarly responsible for that Department. Both in this House and in the other House of Parliament there will be opportunities given to canvass that policy, and that will be the legitimate time to call the attention of the House to the subject, and I think it would be better not to enter into any controversies now. I regard the course which the hon. Baronet the Member for South Northamptonshire has taken as the most sensible one, for it has extricated both sides of the House from a position in which we ought not to be involved.

SIR WILFRID LAWSON: After the very satisfactory statement of the Prime Minister, I will not persevere in my intention.

Motion made, and Question, "That the Debate be adjourned till Friday the 31st day of July," put, and *agreed to*.

Debate adjourned till Friday 31st July.

#### ECCLESIASTICAL OFFENCES BILL.

LEAVE. FIRST READING.

*Considered in Committee.*

(In the Committee.)

MR. HOLT, in moving, that the Chairman be directed to move the House, that leave be given to bring

in a Bill to provide a summary remedy for certain Ecclesiastical Offences, said, the measure he desired to introduce applied only to matters regarding which an authoritative declaration of the law had been given by a competent Court, and its object was to prohibit certain rites and ceremonies now practised by many clergymen connected with the Church of England, with regard to which it was generally admitted that legislation was necessary—a view which was confirmed by the proceedings that had taken place within the last two days, at the sitting of the Convocation for the province of Canterbury. It provided that where any spiritual person should practise, or permit to be practised, in any church, any rites or ceremonies which had been declared to be unlawful, an affidavit of complaint might be filed in the registry of the diocese. If the complaint be made by a churchwarden, it must be supported by the affidavit of one householder in the parish. A householder might also file a similar complaint supported by the affidavits of two householders. The Chancellor of the diocese was then required to issue a monition, which was to be served personally upon the clergyman. If within 21 days the clergyman took no notice of the monition, he was to be suspended for three months. If he yielded to the monition, he could file a declaration in the registry that he would obey the monition, and then proceedings should be stayed. Should the clergyman think he had a good ground of defence upon the merits, he would be at liberty to file an affidavit to that effect, and the Chancellor of the diocese would be bound to send the case to the Court of the Province to be argued. Moreover, an appeal would be permitted to the Judicial Committee of the Privy Council, or to such other tribunal as should hereafter take its place. In the event of the clergyman being convicted, he would in the first instance be suspended for three months; for a second offence, he would be suspended for twelve months; and for a third, he would be deprived. If the Bill which had been introduced in “another place” should reach this House, it would be received no doubt with the respect due to the high sanction which it bore. As to his own measure, should leave be given to introduce it, and should it pass the second reading,

he would move that it be referred, with any other Bill on the same subject, to a Select Committee.

MR. BERESFORD HOPE feared that so far from the proposal being a pacific measure, it would be the proclamation of war throughout the Church of England, for it would be nothing less than an attack upon one of the great schools within that Church. It had no pretence to be anything except a means of dealing in a sharp and summary way with a certain class of ecclesiastical proceedings—he would not call them offences—which, from their doubtfulness, had been the subject of adjudications in the Ecclesiastical Courts, while it left untouched other proceedings which were beyond doubt offences against the law. Moreover, it would have the effect of reducing the Bishop from being the father of his flock to the position of a mere constable, whose duty would simply be to order the offending clergyman to “move on.” There were different parties in the Church and different views of what was right and wrong in the way of worship; but the Church was large enough to hold these various parties, and there were clergymen enough to minister to them as they desired, at different churches in our towns, if not at different hours in the country. In face, then, of these existing facts, it would be wiser to attempt to accommodate the various susceptibilities that existed, than to endeavour by an Act of Parliament to crush out one of the great parties of which the historical Church of England was composed. That party could not be crushed out or loaded with oppressive measures without bringing down the whole of the Establishment, of which they were an essential portion. He did not fear to assert that if that Bill should pass, then the Liberation Society would have no cause to regret the absence of Mr. Miall from the present Parliament.

*Resolved*, That the Chairman be directed to move the House, that leave be given to bring in a Bill to provide a summary remedy for certain Ecclesiastical Offences.

*Resolution reported*:—Bill ordered to be brought in by Mr. HOLT, Lord CLAUD JOHN HAMILTON, Mr. RUSSELL GURNEY, Sir JOHN KENNAWAY, and Mr. SALT.

Bill presented, and read the first time. [Bill 89.]



## PETTY SESSIONS COURTS (IRELAND) BILL.

On Motion of Mr. O'SULLIVAN, Bill for the better administration of Justice at Petty Sessions Courts in Ireland, ordered to be brought in by Mr. O'SULLIVAN, Mr. FRENCH, Mr. RONAYNE, Captain NOLAN, and Mr. POWER.

Bill presented, and read the first time. [Bill 87.]

## UNIFORMITY ACTS AMENDMENT BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend certain provisions of the Acts of Uniformity in relation to the offences of Clerks in Holy Orders against the said Acts.

Resolution reported:—Bill ordered to be brought in by Mr. HOLT, Lord CLAUD JOHN HAMILTON, Mr. RUSSELL GURNEY, Sir JOHN KENNAWAY, and Mr. SALT.

Bill presented, and read the first time. [Bill 90.]

## CUSTOMS AND INLAND REVENUE BILL.

Bill "to grant certain Duties of Customs and Inland Revenue, to repeal and alter other Duties, and to amend the Laws relating to Customs and Inland Revenue," presented, and read the first time. [Bill 88.]

House adjourned at  
Twelve o'clock.

## HOUSE OF LORDS,

Tuesday, 5th May, 1874.

MINUTES.]—PUBLIC BILLS—*Second Reading*—

Courts (Colonial) Jurisdiction \* (48); Game Birds (Ireland) \* (49).

Committee — Real Property Limitation \* (39); Land Titles and Transfer (*re-comm.*) (40-54); Real Property Vendors and Purchasers (*re-comm.*) \* (41-55).

Committee — Report — Marriages Legalization (St. Paul's Church at Pooley Bridge) \* (102); Marriages Legalization (St. John the Evangelist's Chapel in the Parish of Shustock) \* (101); Hertford College, Oxford \* (46); Public Works Loan Commissioners (Loans to School Boards) \* (23).

Third Reading—Harbour Dues (Isle of Man) \* (34), and passed.

## LAND TITLES AND TRANSFER BILL.

(The Lord Chancellor.)

(Nos. 40-54.) COMMITTEE.

Order of the Day for the House to be put into a Committee (on Re-commitment) read.

Moved, That the House do now resolve itself into a Committee. — (The Lord Chancellor.)

LORD HATHERLEY said, that not having addressed the House on the second reading, he wished to take that opportunity of saying that the principle of the Bill had his hearty concurrence, and he thought its passing would take this country out of the anomalous position in which it now stood of being the only nation in the civilized world which had no registration of the titles to and transfer of land. In two counties only—Middlesex and Yorkshire—had we even a register of deeds. But he wished to point out one or two points in which he thought the Bill was not satisfactory. In the transaction of selling and buying land the ordinary procedure at present was this—the vendor engaged to sell for a given price a given quantity of land, and to sell it out and out. He bound himself to show that he had a complete title to the land, and the purchaser could refuse to perform his contract unless the vendor did what he so bound himself to do. But the Courts had always held that this transaction was strictly confined to the two parties—the vendor and the purchaser. If the vendor found himself in any difficulty as regarded the title he must make the best of it. He could not bring in a third person, whose title might be attacked. That being the case, if the Bill followed the analogy of the present mode of selling, the vendor, having made the best he could of his title, would make a declaration, on which the Registrar would proceed to register it. But the Bill went considerably further than that. First, it provided for the case in which a person would simply put on the register the property respecting which he made a declaration that it was his property; but it provided for the registration of two other classes of property. A proprietor might apply to the Registrar to register him as proprietor with an absolute title—the effect of such a registry, when accomplished in a way prescribed by this Bill, would be to give the person so registered a title of absolute owner as against all the world. Again, a proprietor might have himself put on the register as proprietor with a limited title—that was to say, with a title guaranteed as good for a limited time previously to the date of registration. Thus a man might register in 1874 land of which the title was guaranteed from, say, 1840. In both those

latter cases the purchaser might apply to the Registrar to make out a full statement of title; and thereupon the Registrar, exercising for such purposes the functions of a Judge, might summon third parties to give evidence as to their title. More than that, Clause 111 conferred on him the formidable power of calling on third parties to produce deeds. The Registrar had the power of deciding whether such persons had or had not a right to refuse to produce their deeds. Now, he regarded this as hazardous. Let their Lordships consider the case of contingent interests, respecting which those who would be affected by them had no wish to raise a question till the contingency arose. The Registrars under this Bill would have power to call those persons before them, and the question might be raised long before the contingency could arise, and that to the great inconvenience of the parties interested. By Clause 117 power was given to the Registrar to alter the register in certain cases; but that might give rise to a similar examination, and the inconvenience to which third parties might be subjected did not stop with proceedings before the Registrar. There was an appeal to the highest Court of Judicature, which would be an additional source of hardship and expense to those parties. If a man was selling land which had formed a small portion of the estate of another person, this other person might be obliged to come into court and prove his title to the whole estate. The Bill was drawn with such care that he did not think there could be much objection made to it on the clauses. He therefore thought it right to state that he wished the scope of the Bill had been confined to a simple registration of title.

LORD SELBORNE said, that if there was not such a registration of title as that to which his noble and learned Friend (Lord Hatherley) objected, successive sales of land could not make the title good. The title could only become good by the operation of the law of Limitation, if the registration was merely such as his noble and learned Friend wished to see. He thought no Bill would be of much use without such a system of registration; but he also thought that any Bill would be very imperfect, which did not offer to those, whose titles were in such a state as to enable them to take advantage of it, the

means of clearing those titles once for all, so that, on all future transfer, they might be relieved from the present laborious and expensive process of investigation of title. As it now was, a man transferring his land on sale had to make out his title to it to the satisfaction of the purchaser, and he might therefore just as well make out the title, as far as he could, to the satisfaction of the registrar and register it. Of course the declaration of a sound title from a certain date would exclude persons from coming forward under titles of later date and making adverse claims; but he thought that if a man was in possession under a *bona fide* title such as an officer of the Court would pass, the registered owner ought not to be in a worse position than if any person had a claim against him which was barred by the statute of limitations; because all laws of limitation excluded those who were outside the limitation from coming forward and making claims. What was really wanted was to establish, as far as possible, a complete verification and simplification of titles. He did not believe, that under this Bill, titles would as a general rule, be made out in a manner much differing from the present mode between vendors and purchasers. What would happen was this—that where a purchaser objected, or the registrar thought there was an objection that ought to be cleared up, he would call upon the registered owner to supply the defect, just as a conveyancer or Chancery barrister did now.

LORD O'HAGAN said, he warmly approved the object and character of the Bill, and he wished to make a few observations in support of its provisions, founded on his own knowledge of the Landed Estates Court and the Record of Title Office in Ireland. Under the Landed Estates Court, property of the value of some £50,000,000 had been dealt with, and although the Court gave an indefeasible title in all cases, and many of the transactions were delicate and complicated, the mistakes had been so few as to be scarcely worth notice. He thought, therefore, that the successful experience of that Court was a complete answer to any doubts as to the safety and propriety of granting indefeasible titles. The Bill for the establishment of the Record of Title Office passed in 1865. It was not a very liberal mea-

sure; and the Office it created had been working steadily, though not in a very successful manner. Its partial non-success arose from the want of those very provisions to which his noble and learned Friend (Lord Hatherley) objected in the present Bill. No land for which a declaration of title had not been previously obtained in the Landed Estates Court could be registered in that Office. The result was, that from 1865 up to the present date, only 500 or 600 properties had been registered. This arose very much from the requirement of an indefeasible title in all cases. But though in this respect the Act had been partially a failure, it had proved that it was possible, under a system of registration, to avoid the expense and complication which a transfer of land now involved. Through its machinery sales had been begun and completed within an hour. So persuaded of the advantages of the Act was his noble Friend (the Duke of Leinster), that he once proposed to put the whole of his estates under the Record of Title Office; but he found that to go into the Landed Estates Court and obtain a declaration of title would cost him £6,000. As he really needed no declaration he did not go to that large expense. Now, the Bill before their Lordships did not require that the title should be indefeasible in order that it might be registered. Sufficient liberality had not been exhibited in the constitution of the Record of Title Office. That had operated against its success, as had also the disfavour manifested towards it by the legal profession. There was no compulsion under the Bill of 1865. Something of the sort was necessary and he was glad that by the Bill of his noble and learned Friend on the Woolsack, such a compulsion was indirectly put upon vendors and purchasers in respect of the registration of titles. As to the settlement of boundaries, he thought the Bill might with advantage have gone further, and provided for such a settlement in cases where the conterminous proprietors desired it. He would also suggest that the proceedings of the Registrars should be subject to supervision. He also desired to point out that it would be well if the registers were accessible to all persons. In Ireland, since the Act of Queen Anne, the registry of deeds had been open to all the world; so had registries of wills, and no evil

*Lord O'Hagan*

had resulted to anybody. He would suggest that there should be in this country, if not an open register, at least an index to records of title.

THE LORD CHANCELLOR said, that having, by the indulgence of their Lordships, explained the provisions of this Bill so fully on the occasion of its introduction, he should not have said a word on this occasion, only that he was unwilling that the observations of his noble and learned Friend (Lord Hatherley) should pass without some notice from him. Any criticism coming from his noble and learned Friend would command his attention, but he hoped that his noble and learned Friend would look at the Bill from a somewhat different point of view. The registries of which his noble and learned Friend spoke as existing in Middlesex and Yorkshire and in other counties were registries of deeds. Now, as he had stated when introducing this Bill, he wished it to be distinctly understood that what he proposed was not a registry of deeds, but a registry of land. He believed that a registry of deeds might add to the security of title, but he denied that it in any way facilitated the transfer of land. He did not understand the provisions for the proceedings of the Registrar in the same way as his noble and learned Friend appeared to do. He understood that the Registrar would examine the title brought before him, but he did not understand that he was to summon persons before him to litigate their titles. As for the production of deeds, he himself was very fastidious on that point; and under the Bill the Registrar could only require the production of deeds where the party asking for them had a right to call for their production. The Bill created no new Court—he was bound to say that he wished it did create a tribunal something like the Landed Estates Court in Ireland—it took an existing Land Registry Office and made use of the machinery there. He felt that he should not be justified in troubling their Lordships at greater length by repeating what he had already stated at such length.

Motion *agreed to*; House in Committee accordingly; Amendments made; the Report thereof to be received on *Friday*, the 15th *instant*; and Bill to be printed as amended (No. 54).

# REAL PROPERTY VENDORS AND PURCHASERS BILL.

(The Lord Chancellor.)

COMMITTEE (ON RECOMMITMENT).

House in Committee (on Recommitment) according to Order; Amendments made; the Report thereof to be received on *Friday*, the 15th *instant*; and Bill to be printed as amended (No. 55).

House adjourned at half-past Seven o'clock, to Thursday next, half-past Ten o'clock.

## HOUSE OF COMMONS,

*Tuesday, 5th May, 1874.*

MINUTES.]—SELECT COMMITTEE—Public Departments (Purchases, &c.), *appointed* and *nominated*.

PUBLIC BILLS—*Ordered—First Reading*—Ulster Tenant Right [92]; Workpeople's Compensation [91].

*First Reading*—Bishop of Calcutta (Leave of Absence)\* [93]; Gas Orders Confirmation\* [94].

*Second Reading*—Apothecaries Act Amendment\* [71].

*Select Committee*—Married Women's Property Act (1870) Amendment\* [12], Mr. Lefevre *added*; Parliamentary Elections (Returning Officers)\* [68], *nominated*.

*Committee*—Juries\* [18]—R.P.

*Committee—Report*—(£13,000,000) Consolidated Fund\*.

## INDIA — NATURAL HISTORY COLLECTIONS.—QUESTION.

SIR JOHN LUBBOCK asked the Under Secretary of State for India, When the Natural History Collections belonging to the former East India Company will be rendered available to the Naturalist who may wish to consult them, or be arranged for exhibition to the public?

LORD GEORGE HAMILTON, in reply, said, the only reason why the Natural History Collections belonging to the East India Company were not at present available to the public was that there was no place in the India Office in which to exhibit them. The matter had been under the consideration of the Secretary of State; but while, on the one hand, his noble Friend was very anxious that the public should have the advantage of those collections, he was,

on the other, reluctant to place any charge on the revenues of India for a costly building. The matter was under consideration, and as soon as any decision was come to on the subject he should be happy to communicate it to the House.

## PUBLIC HEALTH ACT, 1872 — PUBLIC WORKS LOANS.—QUESTION.

MR. PELL asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government will take steps to empower the Public Works Loan Commissioners to make advances to the authorities in counties and boroughs in England and Wales on the terms and conditions contained in the forty-fourth section of the Public Health Act, 1872, first, for the conversion of outstanding Loans raised for the construction of Lunatic Asylums, Gaols, and Police Buildings; and, secondly, for the expenses which such authorities may hereafter have to incur on these objects?

THE CHANCELLOR OF THE EXCHEQUER: The tendency of late years has been to throw a great deal more business than formerly upon the Public Works Loan Commissioners, and a considerable number of Acts have been passed requiring them to make advances on exceptionally favourable terms for works, no doubt, of considerable public utility. But I do not think it would be advisable to add to the duties that have been cast upon them without very carefully revising and reviewing the position in which that Commission stands, and its relation to the funds which are provided for the purpose of supplying those loans. I cannot, therefore, give any promise on the subject at present; but the matter shall be carefully considered in connection with other questions relating to the position of the fund.

## CUSTOMS WRITERS—SALARIES.

### QUESTION.

MR. RITCHIE asked Mr. Chancellor of the Exchequer, Whether there are not some writers in the Customs Department appointed prior to June 1870 whose annual increments of salary have been stopped for nearly three years; whether Writers of the same class at the Board of Trade and at the Admiralty have not within the last year had their position



and prospects improved; if he would explain to the House why such improvement has been withheld from Writers in the Customs appointed prior to June 1870, notwithstanding that the Select Committee on Civil Service Writers distinctly recommended the restoration of increments of salary to such Writers; and, whether it is the intention of Her Majesty's Government to place the Customs Writers on the same footing as the Writers in the Board of Trade and Admiralty.

THE CHANCELLOR OF THE EXCHEQUER: There are some writers in several Departments of the public service, including the Customs, who were appointed prior to 1870 and whose annual increments have been stopped by the Order in Council of August 19, 1871. I understand there has been no general alteration made with regard to the writers employed at the Board of Trade and the Admiralty, but that on the re-organization of the Board of Trade some opportunities occurred for providing upon the establishment for many gentlemen employed as writers, and at the Admiralty there has been a new class recently added to the establishment into which writers have been taken. There is no intention to withhold from the writers in the Customs the same advantages given to writers, as such, in the public service; but the question is one which, as I said yesterday, has been referred to the Commission now just beginning to sit. Their attention has been directed to it and I hope satisfactory arrangements will be made.

#### EAST AFRICAN SLAVE TRADE.

##### QUESTION.

MR. GILPIN asked the Under Secretary of State for Foreign Affairs, What truth there is in the statement which has appeared in *The Augsburghe Allgemeine Zeitung* of March 25, to the effect that the English Foreign Office have issued instructions founded upon the opinions of the Crown lawyers, that only those slaves who are found in slave dhows who have not become the property of resident Arabs are to be freed?

MR. BOURKE: No such instructions have been issued by the Foreign Office; but I think it fair to state that there is a question now before the Law Officers of the Crown upon the subject of the

*Mr. Ritchie*

capture of slaves above the coast of Zanzibar. When those questions have been answered the Secretary of State for Foreign affairs will consider whether it is necessary or not to send further instructions upon the subject.

#### CHAIN CABLES AND ANCHORS BILL. QUESTION.

MR. LAIRD asked the President of the Board of Trade, Whether he will postpone the second reading of the Chain Cables and Anchors Bill in order that public bodies and others interested in the question may have an opportunity of considering the effect of the alteration proposed by the Bill—namely, voluntary instead of compulsory testing of chain cables and anchors?

SIR CHARLES ADDERLEY: The Bill is not, as described, for substituting voluntary for compulsory testing of cables and anchors, but for abolishing legislative penalties on the sale of untested chains, which so far from proving compulsory, have proved abortive and yet indirectly mischievous. No signs of opposition, but only of general concurrence, have yet appeared; but in deference to the hon. Member the second reading shall be postponed to Thursday week.

#### JUDICATURE ACT—IRISH APPEALS. QUESTION.

SIR GEORGE BOWYER asked Mr. Attorney General for Ireland, Mr. Justice Morris having stated to the Member for the County of Wexford that the Irish Judges of Law and Equity had considered the question of Irish appeals, and that their opinion was unanimous against the abolition of the Appellate Jurisdiction of the House of Lords, Whether he is aware of that opinion, and is prepared to give due weight to it; and, whether Her Majesty's Government is aware that the Right Hon. J. Napier, First Lord Commissioner of the Great Seal holds the same opinion?

THE ATTORNEY GENERAL FOR IRELAND (Dr. BALL), in reply, said, he could not speak as to the unanimity of the Irish Judges; but he was aware that a very large number of them were opposed to the transfer of the Appellate Jurisdiction from the House of Lords. He was also aware that the Irish Judges

unanimously passed a resolution, which they communicated through Baron Dowse to Her Majesty's Government, and which was afterwards produced in this House on a Return which he moved for. That resolution stated that if the Appellate Jurisdiction for England was transferred from the House of Lords it was their unanimous wish that the appeals from Ireland should go to the same tribunal as those from England. He believed Sir Joseph Napier's opinion was the same with the majority of the Judges on both questions—namely, in favour of the House of Lords remaining as the Appellate Tribunal, but if it ceased to be so, then, in favour of all appeals from all parts of the United Kingdom going before the same tribunal.

#### BOARD OF TRADE (MARINE DEPARTMENT).

##### MOTION FOR A SELECT COMMITTEE.

MR. T. E. SMITH rose to call attention to the increasing powers and responsibilities and unsatisfactory constitution of the Marine Department of the Board of Trade; and to move that a Select Committee be appointed—

“To inquire whether any alterations are needed in its constitution or procedure in consequence of the important changes which have taken place in the Mercantile Marine during the last few years.”

The hon. Member said, he hoped the President of the Board of Trade would assent to the appointment of the Committee, on the ground that he would find his hands considerably strengthened by inquiry, and that he would express a willingness to co-operate in ascertaining whether steps could be taken to restore the good feeling which used to exist between the Department and the shipping community. The Motion was not brought forward with animus against members of the Department, who, on the whole, discharged their duties well. He regretted that the Commission on Unseaworthy Ships had not reported upon the evidence they had taken on that subject, as that Report and evidence would, he believed, have strengthened the case he now submitted to the House. By the Merchant Shipping Act of 1854, the general superintendence of the Mercantile Marine was delegated to the Board of Trade; and since then, partly by authority under that Act, and partly by

that conferred upon them by supplementary Acts, they had been charged with the superintendence of local Marine Boards, the examination of masters, mates, and engineers, inquiries into wrecks, casualties, and losses of life. These were important matters, requiring a strong and efficient Department to deal with them. Contemporaneously with these important changes the Board, if there was one in the ordinary sense, had considerably diminished in importance and weight with the public generally. He thought it was a great mistake in the formation of the present Government that the President of the Board of Trade was not given a seat in the Cabinet, as it showed that the right hon. Gentleman the Prime Minister did not attach sufficient importance to the mercantile community. The Department required a great amount of technical knowledge, and, as a Minister could scarcely be expected to possess this, it was all the more necessary that he should have the assistance of officials who were thoroughly versed in the technicalities of the subjects which had from time to time to be dealt with. There used to be two professional assistants and a Surveyor General; now there was a permanent Under Secretary, who had been brought up as an official in the Department, and an assessor, whose office was to be abolished as soon as he resigned. He had the highest opinion of the permanent Under Secretary; but as that gentleman's hands were not strengthened by a staff of practical officials, the result had been that the legislation undertaken by the Department had been very unsuccessful. He complained, moreover, that when any legislation was contemplated, the Department took no pains to ascertain the opinions of gentlemen who might be interested in and acquainted with the subject, and the consequence was that they dealt in a helpless way with large matters, and in a tinkering way with small ones. Two or three years ago it passed a Chain Cables and Anchors Act, without consulting the shipowners. The manufacturers met to discuss the Bill, and said it must necessarily be inoperative, and that, if it passed, they would defy the Board of Trade, which they had succeeded in doing. The Act was, therefore, entirely useless. Some years ago there was a Committee ap-

pointed to inquire into the question of compulsory pilotage. They reported in favour of the adoption of that system, but no action whatever had since been taken upon that Report by the Board of Trade. Then, after much debate in that House, and great promises on the part of the Board, a code of laws for the regulation of the Mercantile Marine was laid upon the Table by the hon. Member for Reading (Mr. Shaw Lefevre). It consisted of no fewer than 750 clauses. The House of Commons shuddered at the prospect of discussing all those clauses, and would have nothing to do with it; while if the measure had been a consolidating one of some 100 or 130 clauses, there would have been a chance of its passing, and placing the general law on a clear and satisfactory footing. That would have been a very great boon to the Mercantile Marine. He had supported the Motion for a Committee of Inquiry into the sailing Rules brought forward by the right hon. and gallant Member for Stamford (Sir John Hay); but the Committee was not granted, because it was said the present Rules were so perfect, so well understood, and so generally accepted; but he now found by a Parliamentary Paper that the Board of Trade was going to make alterations in those Rules, and had promised shortly to submit them to the French Government. He could not ascertain, however, that they had consulted anyone who was practically conversant with the matter, nor had they given any notice of their intention to make changes. What he complained of was the heedless and almost reckless way in which the Board had lately been acting. Ship-owners and builders were continually receiving new regulations, new orders, and new circulars, many of them inconsistent and contradictory. Then again, with respect to the question of the lighting of the coasts of the United Kingdom, the course taken by the Board was not only unsatisfactory, but had year by year been growing more expensive to the shipowners who had to pay. A Committee which had inquired into the subject some time ago recommended a radical change, but from that time to this nothing had been done. The Board of Trade had confided to the Trinity House the management of the lighthouses under their general

control. The result was that when a shipowner was in a difficulty, and went to the Board of Trade, he was referred to the Trinity House, and when he went there he was told that they were so hampered by the rules of the Board of Trade that it was impossible to give help. The poor shipowner or master was thus kept running from pillar to post, and got no satisfaction; while at the same time, within the last few years, the cost per light had risen from £270 to £1,300, or five times as much. The shipowners, therefore, had a right to demand that steps should be taken to render the management of the lights as efficient and economical as possible. Important changes had been made in the position of Merchant Shipping by the Act of 1873. It might be said—and he would admit it—that we had had too little experience to enable us to decide whether the principle of that Act was a sound one; but, at all events, the time had certainly come to inquire into the working of that Act, and to ascertain whether it was satisfactory to the persons affected by it. If it should be found that its effect was to make the Board of Trade obnoxious to the whole shipping community, and that the Act was being carried out in a partial and arbitrary manner, some action ought to be taken by the Legislature. Prior to the Act of 1873 the Board of Trade only took cognizance of passenger steamers, which a few years ago were comparatively few in number. In 1873, however, the Board of Trade took over the management and superintendence of the whole shipping of the country. That shipping had undergone great changes. In 1863 the amount of steam shipping was 510,000 tons, but in 1872 there were 1,500,000 tons of steam shipping, and it had gone on increasing ever since, and now the whole of that steam shipping came under the superintendence of the Board of Trade. This at once introduced a new element in the work which the Board of Trade had to do. Ship-building knowledge became essential, and yet in the knowledge of what constituted a well-formed ship, the Board of Trade were entirely deficient at the present time. It was hard that shipowners should have their property stopped, and their characters injured, without any capable body to whom they might appeal. This assertion was con-

*Mr. T. E. Smith*

firmed by experience; but it would be sufficient to refer to the cases of the *Parga* and the *Eastern Monarch*, as well as to the item of £5,000 in the Estimates, to make good claims that might arise from the mistakes of the Board of Trade. Since he had taken up this matter he had received innumerable complaints from various parts of the country of the frivolous and vexatious interference of the Board of Trade with the shipowners. There were no general rules laid down for the action of the surveyors, and on this point he might cite a case which he had himself investigated. A ship of 2,000 tons was being built on the Tyne, but her engines were supplied from London, and the Board of Trade absolutely refused to give her any certificate unless she were sent to London to be inspected—her boilers having been inspected in London, it was necessary that the whole ship should be inspected there. It struck him that to insist upon a vessel costing £30,000 making a voyage from the Tyne to the Thames for the purpose of being inspected was a very unbusinesslike proceeding. It should be remembered that when a ship was stopped by the Board of Trade, the fact was remembered against her whether the accusation turned out to be well or ill founded. In the case of a ship at Whitby, against which some anonymous complaint had been lodged, the action of the Board of Trade was equally frivolous and capricious. He believed that the Board of Trade had at the present time got a most unsatisfactory set of surveyors at the different ports, and that the work was done in a careless manner in consequence of the men not having had sufficient training or experience. In one case, where a man was appointed, his only qualification appeared to be that he had been a midshipman in the Royal Navy, and yet he had to decide upon all important matters connected with the seaworthiness of ships. He believed there was a general feeling of distrust in regard to all these appointments. The men did not pass through any examination, and nobody knew on what grounds the appointments were made. The fact was that the surveyors were not what they ought to be, because the Board of Trade did not pay their officials a sufficient salary. The matter was a small one, but to the shipping community it was

all-important; because on the judgment of these men frequently depended the characters and the reputations of shipowners, and at their instance they were liable to have misdemeanours and all other sorts of offences laid to their charge. It was the more necessary that the Government should reject a cheese-paring policy in this matter, because private firms did not hesitate in paying good salaries to efficient surveyors. With regard to the manner in which the Courts of Inquiry were constituted by the Board of Trade, the House was aware that when an inquiry was about to be held, the Board sent a couple of nautical assessors to sit with the magistrate and assist him in deciding the case. The magistrate of course had no practical knowledge on the subject, and the consequence was that the nautical assessors were practically Judge, jury, and everything else, and upon their decision it depended whether a man who had the misfortune to experience some casualty should be allowed to go on in charge of his ship, or whether he should be ruined for life. Nobody knew how these assessors were appointed, and they were not permanent officials of the Board of Trade. He remembered on one occasion conversing with an assessor who was about to advise upon a case in which the tonnage of the ship and the amount of the cargo were the leading points, and that assessor was perfectly ignorant of the simple fact that a ton according to the Merchant Shipping Act was 100 cubic feet. The largest private steamship owner in the world, Mr. Burn, the head of the Cunard Company, and whose ships had met probably with less casualties than those of any other line, had said that the Board of Trade was a name without a substance, there being no Board, properly speaking; that no public Department with which shipowners had to deal gave them less satisfaction; that the constitution of the Board was proved to be unworkable, and that the Board was offensive to the shipowners of this country, and to none more than to honest and respectable ones. In conclusion, the hon. Member begged to move the Resolution of which he had given Notice.

Motion made, and Question proposed,

“That a Select Committee be appointed to inquire whether any alterations are needed in the constitution or procedure of the Marine



Department of the Board of Trade, in consequence of the important changes which have taken place in the Mercantile Marine during the last few years."—(Mr. Eustace Smith.)

LORD ESLINGTON, as a Member of the Royal Commission, thought it necessary to reply to some observations of his hon. Friend who, he was not surprised, had brought the subject before the House. His hon. Friend expressed regret that the Commission had not reported on the question of seaworthiness; but the fact was they were not prepared to report. The question of seaworthiness involved many most important, difficult, and delicate matters—the construction of ships, measurement, insurance, inquiries by the Board of Trade into accidents and losses, the conduct and character of seamen, and it was perfectly impossible, until all these had been duly considered and weighed, that they could report upon that question.

MR. T. E. SMITH explained that he made no complaint about the Commission not reporting on the subject; he merely stated a simple matter of fact.

LORD ESLINGTON hoped the House would think that the Commission were the best Judges of the proper course to pursue on the question of seaworthiness, and he would promise that when the proper time arrived for reporting, it would be found they had devoted their best attention to the subjects referred to them. His hon. Friend had said he was not quite sure whether the operation of the Act of 1873 came within the scope of the Order of Reference. He could relieve his hon. Friend's mind on that point by informing him that the Commissioners had gone at great length into the operation of the Act. Again, his hon. Friend had said that the Board of Trade were unfit to cope with the work which they had undertaken. Now, the Board of Trade had undertaken the work that had been forced upon them by the House of Commons, and they were perfectly aware of the responsibility which had been imposed upon them. In his opinion, the Act of 1873 was introduced by the late Government rather hastily, in obedience to the call of public opinion at the time, which was not very well-informed as to the actual extent of the evil intended to be remedied by the measure, and it did not receive at the hands of Parliament the careful consideration it deserved. Never-

theless, he thought it was too soon to begin another investigation into the working of that Act. The charges preferred by his hon. Friend against the Board of Trade ought rather to have been brought against Parliament itself and over-legislation. Now, he wished to make a few remarks in defence of the action of the Board of Trade. According to his hon. Friend's statement, the Board of Trade Surveyors had carried out the provisions of the Act of 1873 in a partial and unsatisfactory manner. He could quite understand that they had not given satisfaction to the shipowners in many of our ports; but with reference to the action of the Board of Trade, he would mention some simple facts which he thought ought to be known for the justification of the Board of Trade and its officers. Out of 264 ships which had been detained by the action of the Board of Trade for alleged unseaworthiness, 234 had been found unseaworthy, and only 13 of those ships had been shown to be seaworthy; 17 were still *sub judice*, the surveys not having been decided upon. With regard to overloading, 22 ships had been reported by the officers and referred to the Board of Trade. Six of those ships had been lightened in consequence of that representation. There was another test which he would apply to the action of the Board of Trade. There had only been half-a-dozen cases in which owners had availed themselves of their right of appeal, and only in one appeal case—that relating to the *Parga*—was the decision adverse to the Board of Trade. Compensation had been paid in four cases, without going to law at all. The really important public officer who was required if the House determined to carry out efficiently the provisions of the Act was a Public Prosecutor. That was the deliberate opinion he had formed on the information and evidence put before the Commission. His hon. Friend had, with justice, complained that a Department charged with the *surveillance* of the trade of England did not hold the rank to which it was entitled. He (Lord Eslington) had no hesitation in expressing the opinion that the head of the Board of Trade ought to be a Member of the Cabinet. As long as the grip of the Treasury was on the salaries of the Surveyors it would be difficult to secure the services of the most

able and competent men ; but, nevertheless, those officers had, on the whole, done their work in a very admirable manner. He thought it would be most desirable, in re-constructing the Board of Trade, to strengthen the Permanent Staff. His hon. Friend spoke of the frivolous objections taken by officers of the Department with regard to lights ; but the House would be startled to hear that no light had yet been manufactured which came up to the standard required by the Act of Parliament, and in fixing such a standard, Parliament had done a great deal of mischief. There could be no doubt that the less they interfered to affect or restrict trade the better. His hon. Friend had blamed the Board of Trade for having encouraged the passing of the Chain Cables Act ; but the truth was that that Act was passed by that House with the sanction of some of its leading mercantile Members, in spite of the remonstrances of the Board of Trade. ["No!"] An hon. Member expressed his dissent from that statement—such was his impression—but, at all events, the Board of Trade were now convinced that Parliament had acted injudiciously in passing it, and the compulsory testing clauses were now to be repealed. He knew that some of the permanent authorities of the Board had always been opposed to it. He agreed with his hon. Friend that, although there were at present highly competent men at the heads of the various Departments of the Board, there would be the greatest difficulty in replacing them, and that Parliament should occupy itself with the re-construction of that Board. There was a very strong opinion entertained by the commercial community that shipowners, when their ships were condemned as unseaworthy, if they thought that their ships were seaworthy and safe, should have a power of appeal upon the spot and at the moment. In his opinion, that was a very fair claim on the part of the shipowners, and he believed the Associated Chambers of Commerce at a meeting last month at the Westminster Palace Hotel unanimously passed a resolution embodying a recommendation to that effect. He trusted that these recommendations would receive the attention of the President of the Board of Trade.

MR. SAMUDA said, that before the Act of 1873 was passed, there was no doubt that the knowledge acquired by Parliament was such, that it became imperatively necessary to strengthen the hands of the Board of Trade or some Department in order to provide the public a greater amount of security to life and property, owing to the disregard of the sea-worthy qualities of vessels. To the written law of the Board of Trade no objection was offered, but there were the unwritten laws used by Inspectors, who, in consequence of being threatened with personal responsibility if they made a mistake, sometimes imposed very unfair and vexatious restrictions upon shipowners. Shipowners received very various treatment at the hands of different surveyors ; thus, in some cases, the surveyor of an emigrant ship would be satisfied with inspecting certain samples of the articles of food to be used in the course of the voyage, while another would require every package on board to be opened, and it was impossible to carry on business under these circumstances. It was very proper that the sending of an unseaworthy ship to sea should be regarded as a misdemeanour ; and he should like to see any shipowner prevented from recouping himself in full by means of insurance in such a case if the vessel was lost. The great thing wanted was that the Board of Trade should separate inspection from direction, and confine their Inspectors to the former, making them abandon the latter altogether ; because direction in the hands of the Inspectors was mischievous, interfering with private action, and over-riding men of great experience who had been familiar with the special business they were carrying out all their lives. He took the opportunity of pointing out to Lord Carlingford, before he brought in the Merchant Shipping Bill, that one effect of it would be to increase enormously the price of chain cables without any advantage whatever to the public, and this had really been the case, and it was now even proposed to go so far in the opposite direction as to remove all penalties from using untested chains—a course equally objectionable, and to his mind proving the absolute necessity of more consultation and co-operation between the Board of Trade and the mercantile community, before rashly entering upon legislation which

often, as in this case, might have been well intended, but for want of practical knowledge was found to entail as many objections as it removed. The Act of 1873, however, contained some very useful provisions, which he should be sorry to see repealed. When the House came to examine the whole question, the conclusion at which it must arrive would be that some further information was required on the various points to which his hon. Friend had referred. The only question, however, before the House was the appointment of a Committee, and whether that should be done now, or whether it was more desirable to wait and see to what extent the Royal Commission on Unseaworthy Ships dealt with the subjects of complaint. He thought it would be desirable to wait for the Report of the Royal Commission. They had, however, the assurance that the Committee would be granted, and that being so, whether it came now or afterwards was unimportant.

MR. BENTINCK said, it was impossible to exaggerate the importance of the question which had been brought before the House by the hon. Member opposite (Mr. T. E. Smith.) He did not rise for the purpose of attacking his right hon. Friend the President of the Board of Trade, who had been too short a time in office to master all the subjects with which he would be called upon to deal. All, however, were agreed as to the great talents evinced by Mr. Gray. He most cordially agreed with the hon. Member who brought forward this Motion that it was impossible for the Board of Trade, in its present position, to fulfil its duties. He also agreed with him that it was very much to be lamented that the President of the Board of Trade was not a Cabinet Minister, for no one who was not could bring to bear on the Cabinet that weight of authority which would be required to induce them to take up the important subjects which demanded attention. His right hon. and gallant Friend the Member for Stamford (Sir John Hay) had often brought before the House the question of the rule of the road at sea, but always without success; and the argument urged against him was that any attempt to disturb it would only lead to confusion and consequent loss of vessels and lives. But how did the case stand now? His

right hon. Friend was aware of the fact that Her Majesty's Government had been memorialized by all the principal Powers in Europe to revise the rule of the road on the ground that it led to great loss of life and property. As the rule now stood, if he had not, in his own experience, deviated from it he should not then have the honour of addressing the House of Commons, but should have been at the bottom of the sea. Then we had endless absurdities in the present system of lights. The multiplication of authorities having jurisdiction in the matter of lights prevented our having that uniformity and continuity of system which was carried out on the French coast. Something was due to the unfortunate way in which the House of Commons tried to deal with maritime questions, the result of which was illustrated by the passing of a provision requiring ships to carry something which did not exist. With regard to the Board he did not want to curtail its powers, but largely to increase them.

MR. WILSON supported the Motion of the hon. Member for Tynemouth (Mr. T. E. Smith), and said that at Hull, Newcastle, Liverpool, and London there was general dissatisfaction with the constitution and action of the Board. It was felt that, to some extent, the commercial supremacy was at stake, because of the vexatious interference of the Board of Trade. Indeed, some ships had already been put under foreign flags. One point of objection was the action of the Board of Trade surveyors at the different ports. Often they were men not equal in ability or position to the representatives of the great shipping firms with whom they came in contact, and yet over whom they had at present arbitrary and uncontrolled powers. That was a matter which, it was felt, required immediate attention and alteration. It was not right that when ships were built according to the rules and requirements of the Board of Trade, and when these ships were ready for sea, a newly-appointed Inspector should come and find fault with what his predecessors had done and refuse to give the vessel a certificate. Another ground of complaint was the constitution of the Courts of Inquiry. That was a great grievance, and another argument in favour of the appointment of a Committee of Inquiry. In every maritime district there were

different trades and various circumstances which required diversity of action, and he thought it desirable that the Local Marine Board should be entirely re-constructed, so that each district could have more control over its own affairs. The prevailing dissatisfaction among the shipping community would not exist if there were not some good ground for it, and he would appeal to the House to support the Motion of the hon. Member for Tynemouth for a Committee.

MR. RATHBONE concurred in what had been said as to the existence of general dissatisfaction at the present state of things, but maintained that the blame rested mainly, not with the Board of Trade, but with the public and the House of Commons, who had devolved upon the Board of Trade functions which it was impossible for it to perform efficiently. From a statement of those functions it must be obvious how far we were deviating from those principles which had made the country's Mercantile Marine what it was. Recent legislation had diminished the responsibility of shipowners, and placed the responsibility on a Government Department which was unequal to the duties devolved upon it. The course which ought to have been pursued was exactly the reverse. They should have concentrated responsibility on the shipowners, leaving them free to carry on their trade, but punishing them whenever they did wrong. The want of a public prosecutor, or some one who would undertake his duties, had caused most of the recent heart-burnings and outcries, and the want was one easily remedied.

MR. GOURLEY complained that shipowners were not only placed under exceptional laws, like the Merchant Shipping Act of 1873, but they were also responsible to the Common Law of the land and liable to the interference of well-meaning but mistaken philanthropists. They were also subject to illegal interference on the part of the Board of Trade, and in substantiation of that assertion he would refer to the case of the *Western Ocean*, which was recently detained, upon the ground that it was unseaworthy, but the owners of which had since obtained £600 as a compensation for that detention, and also to the case of the *Mary Anne*, the owners of which had brought an action against the

Board of Trade for illegal detention. Besides, when an action was to be brought against the Board of Trade, if they declined to name a defendant the shipowner was put to the expense of filing a petition of right and proceeding against the Queen to recover damage for the illegal detention of his property. This state of things could not go on. Either the shipowner should be left to his responsibility under the Common Law, or the Board of Trade should take the entire responsibility of ships being sent to sea in a seaworthy condition. This could only be done by the Board of Trade laying down specific rules for the building of ships. He had every confidence in the permanent officers of the Board of Trade, and trusted that shipowners would no longer be compelled to go on working in the dark, but that the Act of 1873 might be carried out in a more satisfactory manner.

MR. SHAW LEFEVRE observed, that notwithstanding the statements of the hon. Member for Tynemouth (Mr. T. E. Smith), all who had had experience of the Department would agree that the Board of Trade had amongst its staff men of almost unequalled ability, and that the business was conducted in a most business-like manner, and would compare favourably with any other Department of the public service. In Mr. Farrer, the Permanent Under Secretary, the Board of Trade had an officer of great experience and undoubted ability. He had been at the Board of Trade for many years, and had the principal share in drafting the great Merchant Shipping Act of 1853. Mr. Farrer had also been the mainspring of all the legislation for the regulation of the Mercantile Marine since that time, and his evidence before the Commission on Unseaworthy Ships and the Pilotage Commission showed the great range of his knowledge. Mr. Gray, the Secretary for the Marine Department of the Board of Trade, in addition to great experience, possessed a knowledge of all matters concerning the sea which might be described as unequalled; and with reference to the lower appointments, the Board of Trade had 12 assessors, two of whom had been admirals, five captains, and five merchant captains; 30 or 40 engineering surveyors, 16 wooden shipwrights, 16 merchant shipwrights, and 20 officers who were connected with the Emi-



gration Department. The hon. Member who brought forward this Motion and others had apparently misconceived the scope and purport of the Act of 1873, which they had described as bringing the whole Mercantile Marine under the Board of Trade in the same sense that passenger ships were brought under their control before 1873. The Act of 1873, however, gave no general powers of survey to the Board of Trade, it only gave them power, if an information were laid either by their own officers or others, to hold an inquiry and to detain a vessel if it were unseaworthy or overladen. He was not surprised that certain shipowners should find themselves aggrieved at the action of the Board of Trade, but cases of real grievance were more rare than hon. Members might imagine. The Shipowners' Society had, it was said, collected numerous cases in which shipowners complained of having been harassed in their business; but the few cases in which mistakes had been made were not a fair specimen of the action of the Government. Under the Act of 1873 the Board of Trade had taken action in 264 cases. Of these 234 vessels were found unseaworthy; in 17 cases the survey was now pending; and in only 13 had the vessels been found seaworthy. In only six cases had the decision of the Board of Trade Courts been appealed against, and in every one the decision was affirmed. In only five cases had compensation been paid in respect of mistaken apprehension, and the total amount was only £700. When the action of the Board of Trade and its surveyors was looked at broadly he believed it would be found that it had been proper, reasonable, and in the interests of the public. He would remind the hon. Member and those who thought with him that the Board of Trade was always placed between two fires—the shipowners, who thought they were unduly interfered with, and the seamen and others, who demanded greater interference. The Board had been even more attacked for disregarding the interest of the seamen, and for allowing vessels to go to sea in an unseaworthy condition. Their action, however, had been most valuable in the interests of the seamen, and he could quote many cases in which the Board of Trade had stood up against the shipowner in defence of the sailor. The Act of 1873 had been

passed in defence of the seamen, and too short a time had as yet elapsed to ask for its repeal. Upon the whole the principle of the Act was sound and good, and although he should be sorry to see it carried any further, as it might tend to greater dangers than at present existed, still he regarded the Act as wise and calculated to promote the interests of the country as well as of the seamen. The Unseaworthy Ships Commission were taking a deal of evidence as to the Act of 1873 and all the points alluded to by the hon. Member—the action of the Board, the want of an adequate staff of surveyors, &c., had been brought before the Royal Commission. It would, therefore, be premature to pass an opinion on these points, still more upon the much greater question whether the Board of Trade should institute a periodical survey of all vessels whatever. Until the Report of the Royal Commission was known, the House was not in a position to inquire into the constitution of the Board of Trade. He quite concurred in the regret expressed that the Board of Trade were not represented in the Cabinet, for their functions had become very important and were daily increasing. During the illness of Mr. Bright, when he (Mr. Shaw Lefevre) was practically in command of the Department, he found it very inconvenient that the office was not in any way connected with the Cabinet. He would conclude by saying that, in his opinion, the time had not yet arrived for considering this question in the way the hon. Member proposed, because it was probable that the Royal Commission which was now sitting would recommend a considerable enlargement of the duties of the Board. He trusted, therefore, that the hon. Member would be satisfied with the discussion which had taken place, and not press his Motion to a division.

SIR CHARLES ADDERLEY said, he was glad the discussion had taken place, because it would have the effect of removing many misapprehensions which had prevailed as to the action of the Board of Trade. The hon. Member for Tynemouth (Mr. T. E. Smith) asked for a Select Committee to inquire whether any alterations could be made in the constitution and procedure of the Marine Department, owing to the increase of work which had recently been cast upon

*Mr. Shaw Lefevre*

it. In the first place, the hon. Gentleman's proposition was illogical. If the work were badly done that would be a reason for a change in the constitution; but as the allegation was simply an increase of work, it was not logical to infer the necessity of re-constitution, provided the work of the Department was well done. But what the hon. Member, and indeed the speakers who followed him, objected to was the action of the Board of Trade under the recent Act of 1873. That Act had already excited a good deal of discussion. But the really fatal objection to the hon. Member's proposal was that the subject itself was within the province of the Royal Commission that was now sitting, and if there ever was a subject on which it was undesirable to have two independent and simultaneous inquiries it was this. If it was desirable to reconsider such recent action, the subject had better be referred to one body only, so as to avoid the possibility of conflicting conclusions and inconsistent Reports. It would, at all events, be better to wait until the Royal Commission had reported before fresh counsellors were taken in. It should be remembered that frequent change in the law led to confusion, which might be worse than even bad law. The first question they had to consider was, whether Parliament was already prepared to re-open the Act of last year, and, secondly, had the Board of Trade discharged faithfully and discreetly the duties imposed upon them by that Act? With regard to the first question, everybody would allow that Parliament did act under strong impulse when it passed the Act which ordered the Board of Trade to stop ships from going to sea on information being received of their unseaworthiness. Hon. Members would recollect very well that on the strength of the representations made by the hon. Member for Derby (Mr. Plimsoll)—whom he was sorry not to see in his place—they were ready almost to pass any measure which he might recommend; but they would also recollect that the hon. Member did propose a measure of a most sweeping nature, which proposed to subject every ship in the Mercantile Marine to an inspection by a Government Surveyor. It was the President of the Board of Trade who stood between Parliament and the hon. Member for Derby, and induced

it to pass a more moderate measure with a view to save the lives of Her Majesty's subjects by giving the Board of Trade the power to inquire, upon trustworthy information being conveyed to them, of ships about to sail unfit to go to sea. The shipowners should be grateful to the President of the Board of Trade for having given the House this alternative to passing the Bill of the hon. Member for Derby. The House probably, therefore, did not repent of its Act. In regard to the second point, he must honestly and sincerely say, from his three months' experience in the office he now held as President of that Board, that it had discreetly and faithfully discharged a most difficult duty. The Act of 1873 made the interference of the Board of Trade discretionary, and he believed it had exercised a wise discretion, and had not carelessly proceeded on every case brought before it. It had been said that the President of the Board of Trade ought to be what was commonly called an expert in the multifarious business brought before him. He would have to be a Jack-of-all-trades, and very likely a master of none. Such a notion sprung from a wrong view of the nature of the office. The Board of Trade was not intended to take a share or interfere in the various mercantile enterprises of the country. What it had to do was to guard the interest of the public in relation to the great mercantile enterprises. If the Board of Trade were to share in the private enterprise of the country it would cause great mischief, and be acting in direct antagonism with the spirit and genius of the nation. He might also say that he did not agree in the suggestion that the President ought to have a council of advice. The plan was tried some 20 years since, and proved to be a failure; for while it delayed and obstructed the performance of public work, it only afforded a cover for inefficiency and irresponsibility. The great mass of duties imposed on the Board of Trade were by general consent well discharged. The Department was notoriously well manned. Every speaker had allowed that in the Permanent Secretary (Mr. Farrer), the public service had a servant most capable and most devoted. The Marine Department was differently constituted from what the hon. Member for Tynemouth seemed to suppose. It had been re-organized within the last

few years, and consisted of the Marine Department, the Harbour Department, and the Finance Department, of which the heads were Mr. Thomas Gray, Mr. Cecil Trevor, and Mr. R. G. C. Hamilton, who, as everybody knew, were most efficient public servants. He believed that with regard to technical qualifications, as well as vigour and devotion to his work, no man was Mr. Gray's superior. In the course of this debate it had been said there was a want of professional knowledge in the Departments. The fact was Mr. Gray had the opportunity of consulting Captain Digby Murray, while Mr. Trevor was assisted by Admiral Bedford; and besides those naval officers there was a staff of clerks, who were immediately and constantly connected with them. There were marine engineers, shipwrights, emigration officers, nautical assessors, and nautical examiners. Besides, the heads of the Departments had the advantage of consulting with officers of the Trinity House and the Admiralty, and they were in constant communication both with Lloyd's and the Salvage Association. The hon. Member for Tynemouth (Mr. T. E. Smith) was wholly mistaken in what he had said about those officers having been reduced in number. In point of fact, any alterations in their number had been in the way of multiplication instead of reduction. As to the surveyors, who had been so much abused to-night, they were for the most part shipwrights or marine engineers. It might be said that, in consequence of the smallness of the salaries, the Board could not secure the services of men of higher position; but they were in every case men of respectability, and qualified by experience and character. Passing from the *personnel* of the Board to its machinery and work, they were owing almost entirely to the provisions of the Merchant Shipping Act of 1854. It consisted, in the first place, of the registry of ships, for which there was a general registration office. There were also local Marine Boards at the ports, where the examinations of masters and mates were conducted, and the engaging, discharge, and protection of crews. The Emigration Department, which had been undertaken by the Board of Trade in the last two years, was a most important branch of its work, and the examinations in that

*Sir Charles Adderley*

Department were of a most minute description. The Lighthouse and Pilotage Department was in connection with the Trinity House. The Finance Department superintended Mercantile Marine Fund, money orders, savings bank, salvage, and distressed seamen. He would now make a few remarks on the work imposed upon the Board of Trade in connection with the stoppage of unseaworthy ships under the Act of 1873. The action of the Board had been described as "vexatious." The Board of Trade, on receiving any information, before stopping a ship, required the surveyor to fill up a Return containing most minute particulars of the condition, size, destination, and cargo of the vessel; and if they thought that there were reasonable grounds for believing the vessel to be unseaworthy, they instantly instituted a survey. The practical result was that 264 ships had been stopped, and out of these 234 had been adjudged to be unseaworthy. Considering the haste with which this difficult and delicate duty had been imposed on the Board of Trade, he was astonished that there should have been so few mistakes. Out of the 30 unadjudged vessels, 13 were still under inquiry, and only in five cases had compensation been granted on the ground that the charge had not been sustained. Six appeals had been made, and all withdrawn. The number of surveyors had been increased from 84 to 148, and every care had been taken to test their qualifications. No doubt it must often be very annoying to great shipowners to have any inquiries made respecting their vessels, but he must show the House how complaints of undue interference were got up. In a circular emanating from the North of England Steam Shipowners' Association the following passages occurred:—

"Our president, T. E. Smith, Esq., M.P., has given notice that on the 21st of April, he will call the attention of the House of Commons to the increasing powers and responsibilities and the unsatisfactory constitution of the Marine Department of the Board of Trade, and move a Resolution. It is desirable that Mr. Smith should be supplied with as many facts bearing upon the subject as possible; and if you have suffered from vexatious interference on the part of the Board of Trade officials I shall feel obliged by your sending me full details of the same, including names, places, dates, &c., in order that I may arrange and forward them to Mr. Smith at least a week previous to the day when the hon. Member proposes to address the House on this question."



This reminded him of a quack doctor in a market-place shouting out, "Is nobody ill?" The Chamber of Commerce of South Shields sent to the Board of Trade a memorial, in which they stated—

"That in many instances the surveyors appointed to carry this provision into execution are ignoring the spirit of the Act, and so interpreting and working it as to produce grievous loss, and it may be ruin, on many honest, thrifty, and experienced shipowners, whose vessels are well found and quite efficient, having regard to the nature of the service for which they are intended. Your memorialists, judging from the cases submitted to them of incapacity and undue interference on the part of the Board of Trade Surveyors, are convinced that persons have been appointed who do not possess the requisite practical knowledge of shipping matters or the peculiar qualifications that are so essential for the proper and satisfactory performance of the highly important duties pertaining to the office of surveyor."

To this the Board of Trade replied—

"These paragraphs contain a distinct charge against the Board of Trade officials, and the Board feel it their duty to call upon the memorialists to give a full, clear, and distinct statement of the cases to which they refer. When this is done the Board of Trade will, if it appears to be necessary, institute a strict and searching examination into those cases."

And the Chamber rejoined—

"It was deemed undesirable, after weighing the tenour of your reply, to enter specifically into past cases of undue interference, inasmuch as many of the instances submitted to us have, we understand, been brought directly under your notice by the parties most intimately concerned."

Similar correspondence had taken place with other shipowning bodies with similar results. Nor had the shipowners made out any case of hardship before the Commission. The Board of Trade had taken all possible means of getting to the bottom of complaints, and they vanished when approached. The hon. Member for Tynemouth (Mr. T. E. Smith) complained of the regulations made by the Board for the survey of passenger steamers; but unless the Department laid down some regulations everything must be left to the discretion of the surveyors. The House would bear in mind that the Act of 1854 required a solemn declaration on the part of the surveyor that the passenger ship was in hull, machinery, and equipment sufficient for the service. An honest surveyor would, before making such a declaration,

desire to be guided by efficient rules and regulations rather than act on his own discretion. And though in respect of the rules which had been attacked that evening the able Assistant Secretary of the Marine Department had to bear the brunt, still they were prepared by him in concert with experts of the highest authority; as, for instance, when there had been a question about the efficiency of chain cable testing machines, the action followed on the advice of Sir William Armstrong, and the rule for the strength of boilers was adopted on the advice of Sir William Fairbairn. He would not pretend to say that the survey was the best that could be devised. For his own part, he confessed he thought that the survey of those ships in the interest of ignorant passengers was, to a certain extent, antagonistic to the general principle that the Government should not interfere with private enterprise. It was an exceptional action imposed by Parliament, in the public interest, on the Board, and the least satisfactory part of the duty it had to perform. While, however, Parliament imposed the duty, the Board should endeavour to place the best possible rules before their surveyors for their guidance, and in no case theoretical rules, but only such as were of recognized necessity for safety. If by better payment of the surveyors or an alteration in the present system the survey could be improved, no one would rejoice more than himself. The two subjects which had been so fully discussed were now before a competent tribunal of inquiry—namely, the Royal Commission on Unseaworthy Ships. That Commission had largely entered into those particular subjects, and were about to make their Report. He thought they should have that Report in their hands before proceeding to further inquiry, and he hoped, therefore, the hon. Member for Tynemouth would, under the circumstances, be content with the very useful debate which had taken place, and not press his Motion to a division.

MR. NORWOOD said, he thought that if the Inquiry for which his hon. Friend (Mr. T. E. Smith) asked took place either this year or next, it should not be confined to the Marine Department of the Board of Trade, but extend to its entire constitution. He (Mr. Norwood) trusted that when the Report



of the Royal Commission was laid before the House a more satisfactory state of the law would ensue. He was strongly of opinion that, instead of a Trade Department, a Minister of Trade and Commerce should be appointed, who would hold the rank of a Cabinet Minister. If that step were not adopted, at least the President of the Board of Trade should hold a position equal to that of the other Heads of Departments. At the same time, he would bear his testimony to the general ability and care bestowed by the officers of the Board of Trade, and especially of the Marine Department, upon duties of great delicacy.

MR. WHALLEY was also of opinion that the scope of the Inquiry, whenever it took place, should be extended to the administration of the various branches of duty committed to the Board of Trade. The hon. Member for Derby (Mr. Plimsoll) was absent in consequence of indisposition; but, if he had been present, he would have borne testimony to the remarkable efficiency with which Mr. Gray discharged his duties at the Board of Trade.

MR. T. E. SMITH agreed that it might be premature to enter into the proposed Inquiry while a Royal Commission was sitting. He should, therefore, not put the House to the trouble of dividing.

Motion, by leave, *withdrawn*.

#### ULSTER TENANT-RIGHT BILL.

##### LEAVE. FIRST READING.

MR. BUTT, in moving for leave to bring in a Bill to make provision for more effectually securing the Ulster Tenant-Right, and to amend "The Landlord and Tenant (Ireland) Act, 1870," said, that he intended to revert to the old practice of making a statement as to the nature of his Bill on asking leave to introduce it. In introducing this measure, he did not intend to undervalue the Irish Land Act. That Act had established great principles, and had done much good; but, at the same time, no one would pretend to say that it could be accepted as a final and complete settlement of the Irish land question, and he believed that a very large majority of the Irish Members were more or less under engagements to their constituents

to seek Amendments of the Land Act in very essential particulars. That Act had failed to give to the tenant that security of tenure without which there never could be real peace and contentment in Ireland; it had failed in staying emigration and in checking capricious evictions. By the Bill he proposed to submit to the House, he proposed to amend the provisions of the Land Act relating to the Ulster tenant-right. He also proposed—although he did so with hesitation—that something like it should be extended to the rest of Ireland. The Ulster custom, as it was termed, was a very peculiar one, and was of some interest, both historically and politically. It had existed for a long period; and under it the tenant from year to year was able before the passing of the Land Act to sell his interest in his holding often for a larger sum than his landlord could obtain for the land. Although it was not backed by the force of law, it had operated effectually as a custom in the counties of Antrim, Down, and Armagh; and he might here say, in answer to the statement so often made of small farms being the bane of Ireland, that in Armagh they numbered more than the rest of Ireland put together, and yet its population was numerous and prosperous. The county of Down was equally so, and from them both sprung the great and flourishing town of Belfast. The market value of this property of the tenants in their holdings under this custom amounted to no less than £20,000,000. The Land Act itself gave no information as to the custom; but it was left to the tribunals which were to administer that Act to find out by evidence what the custom was and to give it the force of law. It might be taken as established by the decisions of the Land Court in Ireland that under this custom the tenant had a right to sell his interest in his farm; that the landlord had a right to exercise some choice in the selection of the in-coming tenant and in the application of the purchase-money; that the landlord could never take possession of his tenant's holding without paying the market value of his tenant's interest in it; and that the landlord could not raise the rent so as to interfere with the value of his interest. What was the origin of this extraordinary custom? He believed it was to be traced back to the original

*Mr. Norwood*

colonization of Ulster in the time of James I. That was the opinion of the late respected Mr. W. Sharman Crawford, who did so much to extend to the other Provinces of Ireland the benefits of the Ulster custom, and whose son all were happy to see in that House. Another authority on the same point was Mr. Senior, some time a Poor Law Commissioner in Ireland; and there was, he believed, no doubt on the subject. All the grants made by King James to the persons who undertook to colonize Ulster prohibited them from letting their lands at will, and no tenure was to be of less duration than for three lives of 21 years. "The undertakers" to whom King James made these grants did not fulfil the conditions imposed by the grants; but though they failed to do what the grants bound them to do—namely, to give leases to their tenants—yet they durst not disturb their tenants in the occupation of their farms. He believed the Ulster tenant-right arose from the non-fulfilment of the conditions imposed on "the undertakers" of the Ulster plantation. Sometimes the tenantry openly rebelled against attempts to deprive them of the benefits of the Ulster custom. The landlords well knew that the tenants would resort to violence if what they believed to be their rights with reference to the Ulster custom were interfered with. In 1870, Lord Donegall exacted fines on the renewal of leases beyond what the custom sanctioned, and the consequence was an insurrection. A body, called the "Hearts of Steel," assembled, and broke down fences, and when the ringleaders were placed in Belfast Gaol, 100,000 of these men presented themselves and demanded and obtained their release. Afterwards some of the rioters were indicted for high treason, but a northern jury acquitted them; and the end of all was that Lord Donegall renewed the leases at the old prices. It was chiefly by the bravery and valour of men who had been driven from Ireland in consequence of disturbances originating in landlords' wishes to evade the Ulster custom that the great British Colony in North America was wrested from the British Crown. Several witnesses who were examined before the Devon Commission said they believed that any attempt to interfere with the Ulster Custom would lead to violence. A question had arisen under the Irish

Land Act as to the real value of the tenant-right which had been recognized by it. This was a matter of immense importance, owing to circumstances of recent occurrence. In 1843 a Commission was issued by Sir Robert Peel's Government directing an inquiry in regard to land and tenant-right in Ireland, and on the nature of the Ulster tenant-right being by this means brought to light, many of the landlords were impressed with the notion that an embryo copyhold was growing up against them. Strong steps were, in consequence, taken by some of them to prevent the continuance of the custom. The tenant had hitherto been at liberty to sell his interest in the farm for the highest price he could get from the man who, with the approval of the landlord, succeeded him. To this old practice some of the landlords continued to adhere, but others had begun to limit the price, sometimes to a very small figure. This infringement of the custom amounted to a simple confiscation of the rights of the tenant, and the tenantry of Ulster very naturally complained of it. To remedy the evil he desired to propose that it should be declared illegal to impose any restriction on the price or on the manner of sale, unless the restriction had been customary for a period of not less than 40 years. It seemed to him, as a lawyer, that the Land Act intended to clothe the Ulster tenant-right with an authority similar to that of the local laws existing in various parts of England, and that it did not mean a practice which had been begun, perhaps, only a year before, but a custom which had existed through many generations. There were only nine clauses relating to Ulster tenant-right in the proposed Bill. Other two clauses, however, had been inserted, one of which extended to town holdings the law relating to tenant-right. It sometimes, though not often, happened that a tenant-right did exist in practice in connection with such holdings, and it was to these that the Bill would apply. He had known large sums of money expended on the faith of the custom continuing. There was another provision to which he attached great importance. It embodied an important principle, and that was that the Ulster tenant-right might be enforced not only in tribunals under the Land Act, but whenever it

happened incidentally to arise before any of the Courts of Law or Equity. He proposed that the question should be set at rest as to whether tenant-right took effect after lease. It had been decided by Chief Justice Monaghan that the lease was no bar; and in this Bill he proposed to declare that it should not be so where the custom had previously existed. Such were the provisions of the Bill relating to tenant-right in Ulster, and every one of those provisions would, he believed be found to be just, and not to go beyond the principles which had been laid down in the Land Act. He came, in the next place, to a more difficult part of the subject, and that was the application of the Ulster tenant-right to other parts of Ireland. To extend it pure and simple would obviously be nugatory, and what ought to be done therefore was to apply to the rest of Ireland the principles on which it was based. He found in a work written by the present Lord Chief Justice of Ireland, describing his travels in Italy, allusion made to the effect which was produced by the wise law of the Emperor Joseph, by which tenants were made owners in perpetuity. The learned Judge went on to say that it would not be creditable to the collective wisdom of England if no attempt were made on a comprehensive scale, for the improvement of Ireland, adding that if the custom called tenant-right was good for Ulster, its principle should be fearlessly applied to the other Provinces of that country. Now, it was difficult to make that application; but he should propose that, as the House had already sanctioned the payment of compensation to the tenant on eviction, the measure of that compensation should in every case be taken as if the tenant held his land at a fair rent, and under a protection analogous to that of the Ulster tenant. He proposed further to allow the landlord to escape from that if he permitted the tenant to sell his interest, as the Ulster tenant, at a fair rent, and to let the holding then be subject to the tenant-right the landlord would have thus created by his own voluntary act. He did not mean to say that was all which would be required, and he should wish to obtain upon it the opinion of the Irish people. There was great difficulty in legislating in the matter for the rest of Ireland, and he was by no means

prepared to contend that he had succeeded in surmounting that difficulty; but he believed that, if there were not some corresponding protection to that existing in Ulster extended to Ireland generally, a very dangerous policy would be pursued. While submitting the provisions he had indicated, he proposed to make certain changes in regard to the working of the Land Act. He proposed to repeal altogether the clauses of the Act which allowed a tenant rated over £50 to "contract himself out" of its provisions, which was offering an inducement to landlords to consolidate farms, to drive out small holders, and which tended to increase emigration. He regretted very much, he might add, that on many large estates in Ireland compensation for past improvements had been taken away, and that new agreements had been sent round to tenants to be signed, by which means they were entrapped into giving up a right to receive compensation to which they were fairly entitled. That was a matter which the House would feel was entitled to consideration. Again, a tenant was allowed compensation for improvements made by himself or his predecessor; but the Courts had put upon that the construction that if, at any previous time, the tenant surrendered his holding, his claim to all the improvements was cut off. He had therefore framed a clause to prevent his right of compensation being barred in that way. The Land Act also contained a provision that the tenant might be evicted without compensation if he violated any rule of the estate. Many of the rules of an estate were arbitrary laws made by the landlord, in some cases prohibiting the tenant from marrying without the consent of the agent, prohibiting him from giving any one a night's lodging without the same consent, and, in fact, regulating the most minute affairs of the tenant's household. He might mention the case of a boy of 13 years, against whom that rule was enforced. The boy was a stranger, and he applied at the houses of several tenants to be allowed shelter for the night. Deterred by the rule, and apprehensive of the consequences which it threatened, they refused to admit the boy. A poor widow, moved by compassion, admitted him; but the tenants came to her, and said—"If you allow

that boy to remain in your house to-night we will be all ejected from the estate." The woman was alarmed, the boy was obliged to leave her house, and what was the result? The poor boy was found dead next morning. He (Mr. Butt) did not like to mention names, but he mentioned facts. He proposed therefore to repeal that provision of the Land Act and also to make some other alterations in the procedure of that statute into which he need not then enter. He was sensible that his measure was not an adequate dealing with the land system of Ireland; but there was no time to be lost in grappling with that question, because emigration was now fast draining away the best portion of the population of that country. They must not mistake the temporary palliative of the Land Act for the permanent redress of the grievances existing under the land system. They should give security of tenure to tenants in Ireland, such as was enjoyed by tenants in other countries. There was now no security of tenure for a tenant that he would not be evicted. Only give the tenant security and the land in Ireland would be rendered by their skill, energy, and industry infinitely more productive than it was under the existing system. The Governors of our Colonies bore testimony to the unwearying and successful industry of the Irish cultivator when he enjoyed security of tenure. The hon. and learned Gentleman concluded by moving for leave to bring in the Bill.

THE ATTORNEY GENERAL FOR IRELAND (Dr. BALL) assented, on the part of the Government, to the introduction of the Bill; but he wished it to be understood that this did not imply agreement with the views of the hon. and learned Member who introduced it, or the reasoning with which he supported it.

*Motion agreed to.*

Bill to make provision for more effectually securing the Ulster Tenant Right, and to amend "The Landlord and Tenant (Ireland) Act, 1870," ordered to be brought in by Mr. BUTT, Mr. RICHARD SMYTH, Mr. MITCHELL HENRY, Sir JOHN GRAY, and Mr. DOWNING.

Bill presented, and read the first time. [Bill 92.]

## WORKPEOPLE'S COMPENSATION BILL.

### LEAVE. FIRST READING.

SIR EDWARD WATKIN, in moving for leave to bring in a Bill to provide for compensation to workpeople of joint-stock companies and of private employers of labour in cases of accident arising from causes beyond the control of the person employed, and occurring during the hours of lawful employment, said, his object was to facilitate the means of effecting compensation in cases of persons who met with injuries in the service of their employers, in cases wherein the injury was not caused by rash acts of their own. He might say that there was much—very much to be modified and mitigated in cases of accidents. It was only a few days ago, that the case of a boy, who was injured by an accident, was brought under his notice. The injury was serious; but the boy failed to get any compensation, and was living upon charity. It had been said that when persons took employment, they took it with all the risk that attached to it. That might be true in some cases; but the tendency of legislation now was rather against the capitalist. He did not propose to do anything which would place a distinct burden upon the shoulders of the capitalists or the employer, but rather to define a risk which was at present indefinite, and by so doing rather to diminish litigation than to encourage it. He proposed, therefore, to do away with those impediments which prevented a person injured during his employment suing his employer, but to limit the amount of compensation recoverable to a sum not exceeding a year's wages or salary receivable by the person who had been killed or injured. To simplify the mode of recovery he proposed to extend the jurisdiction of the County Courts in order to enable them to deal easily and cheaply with the cases as they arose, and believing that in most cases it would not be a matter of litigation, but of friendly arrangement, he further proposed to give power to the employer to make a settlement with the relatives of the man who had been killed, or with the injured man himself. He proposed to insert a clause fixing a limit of time, after which no claim should be made, so that there should be no contingent liability hanging over an em-



ployer's head. The Bill would apply to working women as well as working men.

*Motion agreed to.*

Bill to amend the Law relating to Compensation for injuries suffered by persons in the course of their employment, *ordered* to be brought in by Sir EDWARD WATKIN, Mr. CHARLES GILPIN, and Mr. CHAPMAN.

Bill *presented*, and read the first time. [Bill 91.]

EDUCATION DEPARTMENT—THE REVISED CODE—THE THIRD STANDARD.  
RESOLUTION.

MR. KAY-SHUTTLEWORTH rose to call the attention of the House to the Minute of the Committee of Council on Education, substituting the Third Standard of the Education Code for the Fifth Standard as the standard to be reached by the children of out-door paupers, and to move—

“That, in the opinion of this House, it is undesirable that the Guardians of the Poor should be relieved from the duty of providing for the education of the children of parents in the receipt of out-door relief under section 3 of ‘The Elementary Education Act Amendment Act (1873)’ as soon as those children reach so low a standard as the Third Standard of the Education Code.”

The hon. Member said, he was sorry that the first action he had to take in the new Parliament should be apparently to offer any opposition to his noble Friend (Viscount Sandon), who so worthily represented the Education Department in that House. The appointment of his noble Friend when the present Government came into office was hailed with the greatest satisfaction on both sides of the House, for most of them remembered the part his noble Friend took at the London School Board and in the education debates in the last Parliament; therefore he regretted that his (Mr. Kay-Shuttleworth's) Motion should in any way be hostile to him. So long ago as the 18th and 19th year of Her Majesty's reign, an Act was passed by Mr. Denison to provide for the education of the children of persons in receipt of out-door relief. That was a measure of a hopeful character and a good deal was expected from it, and probably the reason why it had had so little effect was because it was permissive, leaving guardians to take advantage of it or not just as they pleased. Last Session, however, his right hon. Friend the Member for Bradford (Mr. W. E. Forster) brought in a Bill which repealed that

Act, and provided by its 3rd section that when out-door relief was given by the guardians to the parents of any child between five and 13 years of age, or to any such child, it should be a condition for the continuance of such relief that the child should receive elementary education in reading, writing, and arithmetic. But there were certain exemptions from the liability of the guardians, the principal exemption being that when a child had reached such a standard of education as might from time to time be fixed for the purpose of this Act, by the bye-laws of school boards, or where there were no such bye-laws by Minute of the Education Department, the guardians should be exempt from the duty of sending the child to school any more. His right hon. Friend and his Colleagues issued a Minute on the subject in December last, which fixed the point of exemption at the Fifth Standard of the Education Code, and that Standard required certain proficiency in reading, writing, and arithmetic—namely, reading a short ordinary newspaper paragraph, writing the same or ten lines of verse slowly dictated, and being able to do sums in simple and compound rules and in practice, and to make out bills of parcels. When the new Ministry came into office they issued a new Minute, which repealed the Minute of his right hon. Friend and substituted the Third Standard for the Fifth, thereby most seriously lowering the scale of proficiency in reading, writing, and arithmetic, to be required before releasing children under 13 from attendance at school. Now, practically, it was found that children passed from one Standard to another in the course of one year, so that the effect of lowering the standard from the Fifth to the Third was to reduce the child's education by two years. Another Act was passed last year—the Agricultural Children Act—under which an imperfect half-time system of work and education was provided for children in the rural districts. That Act—imperfect, timid, a compromise as it was—laid down the Fourth Standard as the one that should be reached by children in the agricultural districts. They were either to be 12 years of age or to reach the Fourth Standard before they could be employed full time. He did not know whether his noble Friend had had his attention called to one of the conse-

*Sir Edward Watkin*

quences of the Minute he had issued as affected by the Agricultural Children Act. The Board of Guardians would be obliged by this Act to send a child under 12 who was employed in agricultural work to school until he could pass the Fourth Standard; but, under the Minute of his noble Friend, it was absolutely impossible for the guardians to provide means to enable the child to go to school after he had passed the Third Standard. The consequence was, there was nobody whatever to pay for the education of this child after it had passed the Third Standard and until it had reached the Fourth. He was very anxious to hear how his noble Friend was going to get over that difficulty. When this Minute was issued, the Agricultural Children Act was entirely forgotten, though it was the very last thing that should be forgotten by hon. Gentlemen opposite, seeing that one of their own Colleagues (Mr. Clare Read) took such an honourable and prominent part in passing the Act. He was one of those who contended that all our standards were too low, and that we must not be content to rest where we were. He did not expect we should advance very rapidly; but he did look for constant, if slow progress. He had been much impressed by what had been told the House by the hon. Member for Sheffield (Mr. Mundella) and others, of the standards which other countries had been able to attain, and thought we should imitate them. He doubted very much whether this Third Standard represented half education. He thought it represented something lower. His noble Friend and his Colleagues ought to have looked for guidance in this matter to the school boards in the Provinces. They acted with local experience; they had practical knowledge of all the difficulties. What standard had they laid down under the power given them by the Education Act for framing bye-laws compelling school attendance? One of these bye-laws usually provided that at a certain standard children should be exempted from attendance at school. He had examined the bye-laws of a number of school boards, and the result was this. He had taken at hazard 29 school boards who had adopted compulsory bye-laws, and he found that of these only one laid down the Third Standard as the limit at which

a child might be exempted from further attendance at school, and that was the board of an agricultural village in Norfolk. Five had fixed the Fourth Standard, and no fewer than 19 the Fifth. In 11 out of the 19 there was a provision that the children, after attaining the Fourth Standard, might attend school only half-time; but two, one of which was Bradford and the other Bodmin, to their great honour, had fixed the Sixth Standard. Bodmin provided that after reaching the Fifth Standard, the children should have to attend school only two days in the week, and Bradford that they should attend half-time. In two cases there was no exemption at any Standard. In short, the predominant opinion of the school boards seemed to be that children should attend school until they had reached the age of 13—some boards fixed 12—or had passed the Fifth Standard; and he hoped the time was not distant when no school board would be content with less than the Sixth Standard. He was rather curious to hear what vindication could be offered by his noble Friend for this hasty alteration of a Minute issued so recently as December, 1873, by his right hon. Friend the Member for Bradford, and for a course which instead of encouraging school boards to oblige children to attend school until they reached the age of 13, or had really had a fair education, would set an evil example to school boards of releasing children from school before they were half educated. He trusted his noble Friend would not at the outset of his official career identify himself with a retrograde and deplorable movement, but that before the end of the debate he would make such a statement as would save the House from the trouble of going to a Division. If his noble Friend should not give a satisfactory explanation of his policy, he would take the sense of the House on the Resolution which he now begged to move.

MR. CARTWRIGHT, in seconding the Resolution, said, that no question more important in the interests of education could be submitted to the House. The Resolution so ably moved by his hon. Friend dealt with a Minute which he ventured to designate as most untoward, and which, if it had any meaning at all, was intended to paralyze that movement in the direction of improved

education which it had been the strenuous effort of his right hon. Friend the Member for Bradford (Mr. W. E. Forster) to create. The Minute of the noble Lord opposite (Viscount Sandon) contravened, he maintained not only the words, but the spirit of the Act of 1872, and of the supplementary Act of last Session. It was distinctly stated in the 3rd clause of that Act that Standard IV. was the lowest up to which children of parents in agricultural districts were to be educated. That clause was approved of by an hon. Member who was not an enthusiastic educationist, but a practical man, who knew well the real wants of children in those districts, and there was a distinct reference to them in the Act. By a most disingenuous construction, however, these words had been made to mean the very opposite of what was intended, and the standard had been lowered when the intention of the Legislature was to raise it. Apart from the legal aspect of the question there was the moral side of it, and he would ask upon what grounds the reduction of the Standard from V. to III. could possibly be justified? They must know perfectly well that Standard III. was an illusory standard, especially in the case of children in agricultural districts. It was an education which could never penetrate their hearts or exercise any influence upon their lives; it would be a mere bit of veneering or coat of varnish. They had not the grounds before them on which his noble Friend the Vice President had based assent to this Minute; and he therefore could not help anxiously asking the question whether they were to take it as the foreshadowing of a retrograde policy on the part of the new Government? He told his noble Friend that it would be presumptuous in him to tamper with the policy laid down by his predecessor in office, and yet they found the Minute was dated the 17th of March, a very few days after he took office. The subject appeared to him to be a grave and serious one, affecting as it did at least 200,000 children belonging to the poorest classes in the agricultural districts, and he trusted they would hear a satisfactory explanation from the Government. He should cordially support the Motion of his hon. Friend.

*Mr. Cartwright*

Motion made, and Question proposed,

"That, in the opinion of this House, it is undesirable that the Guardians of the Poor should be relieved from the duty of providing for the education of the children of parents in the receipt of out-door relief, under section 3 of 'The Elementary Education Act Amendment Act, 1873,' as soon as those children reach so low a standard as the Third Standard of the Education Code."—(*Mr. Kay-Shuttleworth.*)

MR. SCLATER - BOOTH said, his noble Friend (Viscount Sandon) would explain presently the reasons which had induced him to issue this Minute. He thought his noble Friend, considering the exertions which he had made in the cause of education, might have obtained credit from the last two speakers for a desire to stand by the principles which he had always maintained, and for having no wish to break down the principles on which the national system of education was based. He (Mr. Sclater-Booth) wished to point out that the obligation of providing education for the children of parents in the receipt of out-door relief fell, not upon school boards, but upon the guardians of the poor. He might add that the substitution of the Third for the Fifth Standard had been very much pressed on his noble Friend by himself. Boards of Guardians in different parts of the country had represented that they had experienced the greatest difficulty in bringing the children in question under the operation of the system. They found, on the one hand, that parents were discharging themselves from relief in order that they might still enjoy the earnings of their children [*Opposition cheers*]; but, on the other hand, they complained of the great expense that would be cast upon the ratepayers if parents were to be deprived of the earnings of their children. It was thought, therefore, important that the Act should be put into operation in the most tentative manner. Hon. Gentlemen opposite cheered when he said that parents discharged themselves from relief rather than submit to the alteration in the law; but the fact told in favour of his argument, because the children of parents receiving out-door relief ought to be in the workhouse schools, which were highly efficient and maintained at great cost to the ratepayers. All parents of children receiving out-door relief were not paupers in the strict meaning of the word. He had lately had an ap-

plication to know whether a man earning full wages was to be considered as coming within the operation of the Act because on account of one of his six children who was blind or an idiot he was in receipt of some relief. They decided that it must be so. Yet that was clearly a perversion of the intention of the Legislature. Surely the man ought to have paid for the education of his children. It did not follow that as soon as a child reached the Third Standard he would be in a position inconsistent with his hon. Friend's (Mr. Read's) Act; because if he sought employment as an agricultural labourer he would be prevented from obtaining it, and would then finish his education at the workhouse school, or pressure would be put upon the parents to finish his education for him. It was desirable that the education provided under the Act of last year should not be of the highest standard. Besides, this was only a temporary alteration of the Minutes of Council. It was certainly the intention of his noble Friend, and it was his intention in urging his noble Friend to make the alteration, that it should not be harsh in its operation either as regarded the parents or guardians. A Circular had been issued to the guardians on the subject by the Local Government Board, the effect of which he would leave his noble Friend to describe. He repeated, he thought it highly expedient that the education to be provided in this abnormal way for the children of parents receiving out-door relief should not be of the same standard as that provided by the school boards. Having advised his noble Friend to make the alteration in question, he was anxious thus early to bear his share of the responsibility.

MR. LYON PLAYFAIR said—I believe that the mistake which the President and Vice President of the Council have committed is largely due to the disjointed manner in which the education of this country is carried on. Here we have the case of two distinct Departments dealing with the education of pauper children—the Committee of Council and the Local Government Board. The latter, having had long experience of the education of paupers, could have given abundant testimony as to the effects of low and high education in the training of paupers; but, until the President of the Local Government

Board spoke, I believed that he had not been consulted by the Committee of Council when they prepared their Minute of March. If he were, then his recommendation to fix a low standard of education for paupers is against all the published Reports and experiences for the last 20 years. Under the old parochial system, when education was limited to a low standard, very much resembling that of Standard III., scarcely more than a third of pauper children could be traced to places of productive employment. Pauperism and mendicancy passed from generation to generation, and one of the most effective means to break up this vicious succession was to educate children to a much higher standard than had been previously attempted. Accordingly, the union schools were altered in character. The children were no longer treated as educational paupers, but were taught history, geography, grammar, and other subjects of a higher kind. Under the old system of low education, 50 to 60 per cent of the children of the workhouse schools were returned on the hands of the guardians as unprofitable servants. Under the new and higher education of the best union schools not more than 3 or 4 per cent were so returned. Allow me to make a single quotation from the evidence of Mr. Tufnel, the Inspector of Union Schools. He says—

“Many persons object, as to the book knowledge communicated in the schools, that we are over-educating the children; but my reply has always been that I never wished them to receive more education than is necessary to ensure that they shall never become paupers again. If we educate them so that they fall below this mark, we probably entail upon the parish the expense of £200 or £300 in each case when a failure takes place. Now, as the difference of the cost between a good and bad education is not more than about 30s. a-year for each child, I maintain that it is excessively uneconomical, putting aside higher motives of Christianity or morality, to under-educate the child for the sake of this miserable saving.”

This, then, is the argument of the Inspector who has the most extended and varied experience of our pauper schools—that a high education is economical and productive to industry, and a low education wasteful and productive only of a new generation of paupers. I confess my surprise that this truth has to be repeated at the present time, for the evidence in support of it is so overwhelming that I am embarrassed in dealing with it. I content myself with



referring to a single instance, which is described in the evidence given before the Agricultural Employment Commission. Those Members in this House who have passed middle age will have a lively remembrance of the wretched condition of the Scilly Islands some 30 or 40 years ago. The inhabitants were always on the verge of starvation, and were kept alive in winter by constant contributions from the mainland. For generation after generation these wretched islanders had been paupers. Why is it that no cry of destitution reaches us from these islands now? Because Mr. A. Smith, once a Member of this House, in addition to agricultural improvements, introduced a high system of education among the inhabitants on a compulsory system introduced and upheld by himself. In the schools of these islands education did not end with Standard III., but included history, geography, the elements of mathematics and navigation. The children educated at these schools were uplifted from the slough of pauperism, and became eagerly sought for by the employers of productive labour, and by ships which stopped at the Scilly Islands for the purpose of obtaining such well-educated boys. Pauperism wholly disappeared from the islands, and when the Agricultural Commission made its Report it was stated that it was difficult to find persons poor enough to accept the offerings made at the Communion Service. With such evidence before us as to the effect of low education in continuing generations of paupers, and of higher education in uplifting them from their degraded condition, this late action of the Committee of Council is incomprehensible. It is altogether inconsistent with the position which the State has taken up in regard to national education. Formerly, when the State contributed small sums to schools throughout the country, it doled out money to education as it doled out charity to paupers, and it was not surprising if education was stinted in its character. But when Parliament determined that education should become a national concern and a national duty, the relations of the State to education became altogether different. Then the purpose of the State was to obtain well-educated citizens, capable of adding to the production powers of the nation. When compulsion was added to the educational system, it became a

logical necessity that the education of our schools should be raised. To compel a child to remain at school to 13 merely to learn a standard which ought to be reached at nine years of age, would be an unmitigated tyranny. Schools under a compulsory law must offer education adequate at least to the extent of the age at which compulsion ceases. As this improved condition of education which follows as a corollary the enactment of compulsion does not yet exist in our primary schools, Parliament has been pleased, as in the present case, to relieve children from compulsion when they have attained a certain standard. That standard was fixed by my right hon. Friend the late Vice President of the Council (Mr. W. E. Forster) at Standard V. which requires a child to read a short paragraph from a newspaper, to write a sentence on dictation, and to do sums in practice. Can any boy be fairly launched into the world in a less unprepared state with hopes for the future, especially when he has been taken out of the ranks of pauperism, with all its depressing influences? The noble Lord the new Vice President of the Council (Viscount Sandon) apparently thinks he can, for my noble Friend is satisfied with two standards lower. But if the Reports of his own Inspectors, again and again repeated in their annual Reports, are to be believed, such a low standard of education is rubbed off in three years' wear and tear of life, and the cost of giving it is wholly wasted to the nation. It has been contended that the 73rd section of the Scotch Education Act is much the same as the Minute of March. It is no such thing. That clause enables one of Her Majesty's Inspectors to liberate a child upon a certificate from him that it can read, write, and do elementary arithmetic. But there is no Inspector in this Kingdom, certainly not in Scotland, that would give a certificate to this effect for a child that could only pass Standard III. The Act of last year, which we fondly hoped might secure education to out-door pauper children, will merely result in unproductive extravagance, if this low standard of education be held out as sufficient for pauper children. Besides this evil, which is large enough, there is another of far greater magnitude involved in the recent Minute of the Committee of Council. By the Act of last

*Mr. Lyon Playfair*

Session the State put itself and the local government of the country *in loco parentis* to pauper children, and became responsible for their education. Surely it is a most serious and responsible act for the State to tell the whole parents of the nation that they may be satisfied if their children attain Standard III., and that they may be justified in removing them from school; but that is actually what the Committee of Council do by their Minute. They announce that they, acting *in loco parentis*, are satisfied with Standard III., and the parents throughout the Kingdom will not be slow in imitating this example. Now, if this be the result, as it is probable it will be, of the action taken by the Education Department, then it is useless for us to vote from year to year upwards of £2,000,000 for primary education in the country, for it is beyond the region of doubt that children who leave schools with no other attainment than the lower standards can make no use of them in future life, and will grow up ignorant men and women. Last year we were induced to make a great effort to mitigate the pauperism of the country by means of education. The pauperism of this country, and the misery which hangs upon its outskirts, is a terrible evil, and one which cannot be mitigated without much effort. The age of miracles is past, and we cannot remove mountains by a large faith in our little doings. The burden of pauperism is heavy upon England, and requires every force which we can apply to remove it. Last year we gave to the Committee of Council powers to apply their hand to the removal of this burden; but when we find the new Committee shutting their hands and applying a little finger to the task, educationalists may well despair. The House has now the opportunity of deciding whether it is wise to relax our efforts in a manner opposed to all past educational experience.

MR. PEASE was of opinion that the introduction of this Minute was due to the exigencies of a Department of the State, as shown by the speech of his right hon. Friend (Mr. Sclater-Booth), rather than to the dictates of the judgment of the Vice President of the Council, whose contributions to national education had always shown that the noble Lord had at heart the best interests of the persons immediately affected

by that Minute. He (Mr. Pease) agreed with the right hon. Gentleman (Mr. Lyon Playfair) that there could be no doubt that the low standards of education and the great want of education throughout the country had produced our pauperism, and that if they were continued we should still increase our paupers instead of bringing them up useful, honest, and intelligent citizens; it was particularly upon that ground that he opposed the standard now proposed to be adopted. In carrying out Denison's Act, when it was permissive, the Boards of Guardians had no restrictions placed upon them, and when the limit of even the Fifth Standard was placed on them it was a limit, and by this Minute a still further limit was placed on the Boards; consequently, in many unions the pauper child would be deprived of advantages that it had enjoyed. In many instances the Board of Guardians had done more good among the pauper children than the standard of the Council of Education would do for them. They were told that this was a paupers' question; but he contended that it was a great national question, involving the future rather than the present. No doubt the requirements of the law were complied with by this Minute; but it was in the letter and not in the spirit of the Act which made Denison's Act compulsory.

MR. J. G. TALBOT said, he could not help thinking that some of the remarks used in this debate were sensational rather than distinguished by practical utility. The Act of last Session made that compulsory, which was before optional under Denison's Act, and provided that a certain amount of education should be given. He would remind the House that this question did not relate to children in workhouse schools, but to an entirely different class—namely, the children of out-door paupers. To children brought up in workhouse schools the State might be said to stand *in loco parentis*; but he denied that it stood in that relation to the children of out-door paupers. The section provided that—

"It should be a condition of the continuance of relief that elementary education in reading, writing, and arithmetic should be provided for each child."

Were not these requirements amply provided for by the Minute of his noble

Friend? ["No!"] What was elementary education but reading, writing, and arithmetic—and was it not amply provided for by the simpler standard of the Code? If such sums in "Practice" as were given in many of these schools were part of "elementary education," all he could say was that his education had been grievously neglected. The right hon. Gentleman the Member for the University of Edinburgh (Mr. Lyon Playfair) said that if these children were only educated under this standard they would become unproductive members of society and lose all the education they had got; but he could not help remarking that that observation did not come very well from the front Opposition Bench, the occupants of which had done so much to discourage night schools, which were intended to supplement the education provided in the elementary schools. Some very startling disclosures had been made on this subject, for it appeared that night schools which were very flourishing a few years ago had been so much discouraged by the right hon. Gentleman (Mr. W. E. Forster) that they now received only half the amount of the grant formerly made to them. It might be said that most of the parents receiving out-door relief, whose children were now in question, ought never to be paupers at all; and in this opinion he was disposed, speaking broadly, to concur; but he challenged any hon. Gentleman to bring forward a practical system for doing away altogether with out-door relief. One section of persons receiving this relief were those who had been reduced by accident or illness to destitution, and the first duty of their children as they grew up was to contribute to the necessities of their parents. Practical persons—not mere theoretical philanthropists—would consider whether on reaching the Third Standard, these children might not help to provide for their parents' necessities, especially if they were the children of widows struggling for a livelihood, instead of advancing to a standard which would not, after all, give them intellectual proficiency. He was sure the House would approve the Minute, as combining a moderate amount of elementary education with the primary duty of maintenance of parents, though, as time went on, a higher standard might be hoped for.

*Mr. J. G. Talbot*

MR. S. B. BRISTOWE said, he was anxious to recognize the services of the Vice President of the Council in the cause of education and the great interest he took in the question, and it was on this very ground that he was wholly unable to comprehend the aim and object of the Minute of 18th March in this year. He thought the House and the country were entitled to have solid and substantial reasons given for so summarily repealing the Minute of December last, which decided that Standard V. should be the limit of exemption under the Elementary Education Act Amendment Act, 1873, and deciding that Standard III. should be sufficient. It was important to consider what the undoubted effect of this new Minute would be. In his opinion, it must tend to lower the standard of education throughout the country, because it would be alleged and believed that, in the opinion of the Government and of those having the direction of educational matters, the Third Standard was a sufficient qualification for all children. It had occurred to him that the general opinion of the country upon this point might be tested in some degree by looking through the bye-laws of school boards sanctioned by the Committee of Council since the passing of the Elementary Education Act, and with that view he had carefully gone through the appendices to the Reports of the Committee of Council for Education for the years 1872 and 1873, and he found that out of 194 school boards whose bye-laws had been allowed, 125 had adopted Standard V. as the limit of compulsory attendance, 11 had adopted Standard VI., 47 had adopted Standard IV., and only four had adopted Standard III. Now, what did these figures show?—clearly, that public opinion in these districts where school boards had adopted bye-laws with compulsory powers, was practically unanimous in adopting a higher standard than the Third, and that being so, the great inconvenience would follow that we should have school boards where the standard of exemption was the Fourth, Fifth, or Sixth, whilst the Third was the normal Standard for the rest of the unions in which the school board district was situated. It was quite impossible to suppose that this state of things could go on; and as, in his opinion, Standard V. was already low enough, he considered the new Minute

to be of a retrograde character, and damaging to the progress of education.

VISCOUNT SANDON thanked hon. Members opposite for the friendly way in which they had alluded to his appointment. He had not expected that the debate on this subject would have taken so wide and important a scope; and he hoped the House would forgive him if he attempted to bring them down for a moment from the high flights of philanthropic aspiration in which some hon. Members had indulged, to the lower regions which, being in office, he had to deal with on the present occasion. The question was simply, in the first place, what was the character of the population that were affected by the subject, and, in the second place, how much of the population would the Minute embrace? Of the 22,000,000 which composed that population nearly 10,000,000 were already under the action of bye-laws, and therefore more or less under the influence of compulsion, and were not touched by the Minute. The population affected by the Minute amounted to between 12,000,000 and 13,000,000. The last Returns brought the number of the children of out-door paupers up to about 140,000, so that they might suppose roughly that the Minute affected a population of between 70,000 and 80,000 children. They were orphans, children of old or permanently disabled parents, unmarried women, of prisoners, soldiers, and sailors, and persons out of work or suffering from long illness, a large proportion of them being the children of wives deserted by their husbands, or of widows. Returns showed that though of very tender age they were to a very large extent in service or work of some kind, earning from 2s. 6d. to 3s., 4s., and 4s. 6d. a week, and that was an important matter which should not be lost sight of when they were considering the question of taking these children, with their earnings, from their parents for a certain number of years. His right hon. Friend's proposal last December was to prevent their leaving school until they had passed the Fifth Standard of the Revised Code, which consisted in reading a short ordinary newspaper paragraph, writing from dictation a short newspaper paragraph or ten lines of verse, and doing sums in practice and bills of parcels. He had looked particularly to

see what were the numbers of children who had passed this Fifth Standard, and he found that out of the 1,190,000 in attendance, only 40,500 had been offered for examination, and only 22,000 had passed. Then he went back to Standard IV., under which a few lines of poetry selected by the Inspector were to be read, a sentence slowly dictated once, by a few words at a time, from a reading book to be written, and compound rules in arithmetic; and he asked how did all the children in all the schools, including the best in the country, before the pauper children were brought upon them, pass this Standard? Why, out of the 1,190,000 in attendance, 74,800 were offered for examination, and only 42,000 passed. Under these circumstances, he asked was it wise or sensible to direct that when the best educated children in the country had so much difficulty in passing this Standard, we should compel the children of the out-door paupers either to pass it or to remain at school until they were 13 years of age? That meant to compel them to sacrifice all their earnings and to bring such inconvenience to the poorest and most degraded homes as would raise in the hearts of the parents the bitterest feeling with regard to the new educational scheme. He much doubted whether that would be a wise course to pursue. Then he passed to Standard III., to adopt which was supposed to put you in the black books of the friends of education. That Standard required a child to read a short paragraph from a more advanced reading book, to write a sentence slowly dictated once by a few words at a time from the same book, and to do sums in long division and compound money rules. How did the children in the country generally pass that Standard? Out of the 1,190,000 in attendance 620,000 were offered for examination and only 372,000 passed. Surely, when the children of the more highly educated classes found such difficulty in passing that Standard, it was not a fatal re-action to limit the requirements to be exacted from the out-door paupers to that Standard? What had been done in this matter? The Local Government Board, after full consideration of the subjects, issued a Circular on the 30th of March, 1874, forwarding the Minute of the 18th of March, in which they stated that the latter—



"fixes the third Standard for the years 1874 and 1875 only. The Board learns from the Educational Department that they will fix a higher standard of education for the subsequent years, and, in order to enable the Department to determine what standard shall be so fixed they have requested this Board to furnish them at the end of the current year with information as to the number of children who may be exempted from attendance at school as having reached the third Standard. The Board, therefore, must request the Guardians to keep such a record of these cases as will enable them hereafter to supply the information required."

The Lord President of the Council and himself had thought, therefore, that the best course was to require those children of out-door paupers to pass this Third Standard, as they found that so few of the higher educated children in the country could pass it. At the end of the year the Local Government Board, with whom they had acted in complete accordance, would inform them as to the number of out-door pauper children who had passed this Third Standard, and if necessary, in 18 months that standard would be raised. He admitted that that was not an heroic treatment of the question from the educational point of view; but when the very lowest class of people were being dealt with, it was necessary to proceed with the greatest possible caution. Although there had been a great deal of talk about compulsion, it must be remembered that every school board in the Kingdom was at its wits' end how to deal with this class of children. They let these children off on every possible excuse, and even if they sent their school teachers after them, they were not to be caught. These children were living from hand to mouth, and to keep them in school would be to starve them, unless they were supplied with food as well as with education. Therefore, he felt that in exercising caution in this matter they would be assisting rather than pushing back the great cause of education. But what were the objections to adopting the Third Standard for this class of children? It was said that the school boards would at once lower their Standards if such a course were adopted. He did not think that they would do anything so foolish. The standard, the school boards would know very well from his Minute embodied in the Circular to the Boards of Guardians only lowered to Standard III. for 18 months, and the greater portion of the children with

whom the school boards had to deal were of a higher class than out-door pauper children. It was further objected that if the course proposed were adopted, the standard must be lowered for agricultural children under the Act of 1873, and that all agricultural children would have to be exempted after they had passed Standard IV. Agricultural children, however, were of a far higher class in the social scale than were out-door pauper children, who were among the most unfortunate and ignorant of the population. It was further suggested that the Government had the power of making what conditions they pleased, seeing that they provided a portion of the funds which supported the schools; but what was their contribution compared with the earnings? Then it was suggested that the half-time system should be adopted; but the House would see that it would be a difficult matter to apply the system at once, and without much greater preparation, to out-door pauper children. As for the broad question of all, he could not express too strongly the importance which he attached to carrying the whole feeling of the population with them on this great question of education. Hon. Members on both sides of the House must be aware that the enthusiasm in favour of education was not so great at present as it was some time ago—that the interference by school boards with parents and children was creating a re-action which they would have to lament. [*Dissent.*] He could only express his own opinion on the subject. He wished to prevent that re-action going further, and therefore he thought that they were bound to do all they could by tact and management to prevent that feeling among the labouring classes from endangering the ultimate success of their educational schemes. As far as the Government were concerned, they thought it was their duty at the initiation of a new system of compulsion and interference with the labour of class unused to such treatment, to make the matter as simple as possible for these people for the next 18 months. He wished to remind hon. Members opposite that when the Act of 1870 was before the House he was the only person who brought forward an Amendment to make Denison's Act compulsory—the very Act which the Govern-

ment three years after were obliged to make compulsory, and that he had been obliged by the attitude of the then Government to withdraw his proposal. He did not recollect that the hon. Members for Durham (Mr. Pease), Hastings (Mr. Kay-Shuttleworth), and Newark (Mr. Bristowe), gave him any encouragement on that occasion; and his right hon. Friend who was then Vice President of the Council (Mr. W. E. Forster), assured him that it was entirely a Poor Law affair. Children who could not pass the Third Standard must even now remain at school to the age of 13, and comparatively few, he was assured by the best authorities in the Education Department, were likely to pass even that Standard within the next 18 months. Great suffering, he thought, would be caused even by that regulation as to age, but that matter must be risked. He was not prepared to go beyond the decision which the Education Department had adopted until information was obtained next year as to the results of that decision. He was sorry to differ from so high an authority as his right hon. Friend opposite; but he felt confident that he (Mr. W. E. Forster) would give him the credit of having done what he thought was best under the circumstances, and would not think that he had been actuated by any of those dark ideas of re-action and pushing back the tide of education which some of his hon. Friends opposite had rashly and most unjustly attributed to him.

MR. W. E. FORSTER said, it was with regret that he had found himself in opposition to his successor in the Education Department. Considering the difficulty of the work which his noble Friend had to do, he thought his noble Friend deserved special sympathy. He fully believed that both the President and the Vice President of the Council were anxious to carry into effect the Education Act. If his noble Friend had had three or four months' experience of the work he had to do, he did not believe that this Minute would have been passed. He was bound to state to the House the ground on which he thought it right, on behalf of the Education Department, to issue the Minute which his noble Friend had deemed it his duty to cancel. His noble Friend the late President of the Council (Lord Aberdare) was not in London at the time that he (Mr. W. E. Forster) thought it

necessary to issue the Minute; but he afterwards agreed to the step he took. Last year the House passed unanimously an Act providing for the education of the children of out-door paupers. He was rather alarmed to hear the right hon. Gentleman at the head of the Poor Law Board (Mr. Sclater-Booth) and the Vice President of the Council speak of those children as if less education was required for them than for other children. [Viscount SANDON dissented.] His noble Friend shook his head, but that appeared to him to be the purport of his remarks. In his (Mr. W. E. Forster's) opinion, there was no class of children for whom it was more necessary to provide education than for the children of parents who were unable to provide it for them; because such children, if uneducated, would be a source of trouble and expense and a nuisance to the rest of the community. In considering what should be the standard of education for such children, he did not for a moment forget those considerations which the right hon. Gentleman and the noble Lord had stated. But he knew that the House passed the Act with a knowledge of the inconveniences which had been referred to, and with a determination that the necessity of the parents should be relieved by an additional charge upon the rates, and that upon the whole it was better that a real education should be provided for these children than that it should not. He had also to bear in mind that as to the vast majority of these children, it was exceedingly unlikely that they would obtain any kind of knowledge except what they got at school, and therefore that such a standard should be adopted with regard to them as would require them to attend school sufficiently long to enable them, at least to read well. He maintained that the Standard which he fixed for them was the lowest standard that could be adopted to insure that the education given to those children who, when they left school, returned to the homes of uneducated parents, should be efficient. These children must be regarded as the children of parents who were unable to pay for their education, and the effect of the Act would be this—that it would not be in the power of guardians to pay for the education of these children after they had reached the standard defined by the Education Department.

What he (Mr. Forster) said was, that he should take care that the money of the ratepayers was not wasted; that the Act should not become a delusion; and that the children should at least be able to read. His noble Friend had thought it right to cancel that Minute, and replace it by the Third Standard. Now, he had no hesitation in saying that every one of the Inspectors would confirm him in this—that under the Third Standard children returning to an uneducated home would soon lose the ability to read. He was well aware that one argument might be used against the Fifth Standard, and that was that the children might be at work. But that was an argument against the Act altogether. It was surely intended that a real education, and not a sham one, should be given to these children; and if the noble Lord had consulted the Secretary to the Poor Law Board, who brought in the Agricultural Children Act last year, he hardly thought he would have been advised to adopt the course he had taken. What was the position in which it placed the children under the operation of the Agricultural Children Act? The Agricultural Children Act of last year declared that after the 1st January next, no child under 10 years of age should be employed who had not attended school 250 times in the past year; and no child between 10 and 12 should be employed who had not attended 150 times—unless the child had passed the Fourth Standard. Well, what was the consequence? Any Inspector would go to a school in an agricultural district, and find that several children of out-door paupers attending it could pass the Third Standard. He would thereupon inform the Guardians of the fact, and they would then have no power to pay for the further education of these children. It must be assumed that the parents had no power to pay, and when January next year came, these children would not only not get their schooling, but they would also not get work, as the farmers would not be allowed to employ them. Surely this ought not to be. The noble Lord was, he feared, under a misapprehension when he spoke of the Act as applying only to places where there were no school boards, by which he, no doubt, meant boards with compulsory bye-laws. If he took the advice of the Law Officers of the Crown, he

would probably not read it in that way. It said that the standard fixed by the Education Department was to apply to all places where there was not a bye-law passed for the purposes of this Act. Now there had been no bye-law passed anywhere for the purposes of this Act; and therefore the real effect seemed to be, that in Manchester, Bradford, Liverpool, and London, for example, the Guardians would not be able, unless fresh laws were enacted, to pay for the education of the children of out-door paupers after they had reached the Third Standard. Probably, on considering the matter, the noble Lord would see that he had in this way brought about a collision, which, no doubt, he would regret, between the action of the school boards and the action of the Department. It was but fair to acknowledge the difficulty with which the Education Department and the Poor Law Board had to contend. The object of the House had certainly been to secure a real education—that of reading, writing, and ciphering; they meant to do what was done by the Scotch Act—namely, that the children should not be released from compulsion until they were able to read and write, and had some elementary knowledge of arithmetic. No doubt there might be a hardship in taking the children away from work. To some extent there must be a hardship, and an additional burden cast upon the rates; but if the children received a proper training, the rates would eventually be relieved. The noble Lord might have met the difficulty without degrading the standard of education. He might have said that up to the age of 10 the children must simply be taught, no regard being paid to standards, and that after that age he would be satisfied with that number of attendances, which was made, by the Code he had laid upon the Table, the condition of the annual grant. It might have been laid down that the children must either reach the Fifth Standard or go regularly to school; or that they must produce a certificate from the school board or school managers that they had attended school 150 times in the course of the year. This last condition would have enabled work and schooling to go on together, which was the object desired by most hon. Members, and this would have been far better than degrading the standard, and sanctioning the principle

*Mr. W. E. Forster*

of a low education. Even now it might not be too late to reconsider the question, and he hoped there would be some assurance given that this would be done. He was aware of the power of the Government; but if no disposition was shown to meet the objections that had been raised, he thought it would be the duty of hon. Members to protest, by their votes, against the course proposed to be taken. This course would really amount to a nullification of the Act passed last year, because the standard which children were now to reach was not education at all—it was not the power so to read that the acquirement would be kept in after life. He was sorry that his noble Friend, perhaps in the heat of discussion, had seemed to sanction the notion that we ought to be content with this miserable Third Standard. He stated how many had passed that Standard, and how many had been unable to pass it; but he forgot that a very great proportion of those who succeeded tried in the following year to pass in a higher Standard. The Third Standard had been framed in the hope that children under the age of 10 would reach it. The noble Lord seemed to think that the amount of education which it represented was sufficient for children up to 13. Perhaps the greatest evil which the Education Department had experienced was the fact that so many of the children stopped at the Third Standard, and there was reason for deep regret if anything was said or done which was calculated to make the school boards set value on the amount of education so obtained.

MR. CLARE READ understood the right hon. Gentleman (Mr. Forster) to say that pauper children should be better educated than other children — [“No!”]—but he said they must take things as they found them. Owing to the way in which the Poor Law had been administered in this country, the children of out-door paupers were, as a rule, worse educated than any other children. That was due, in the first place, to the rough-and-ready way in which Denison’s Act had been put in force in the rural districts. Guardians had asked whether a child was at school or at work, and on finding that a child was at work they did not insist on his going to school. The ratepayers employed pauper children to ease the rates, and kindhearted people found

them work in order to minister to the necessities of the parents. That was the case as they found it, and not as they hoped it would be hereafter. Why did not the right hon. Gentleman (Mr. W. E. Forster) try to make the two Acts uniform? Why did he put the Fifth Standard in his own Act when the Fourth had been inserted in “another place” in the Agricultural Children’s Act? If there had been uniformity, in all probability the present difficulty would not have arisen. He (Mr. Read) wished to reduce out-door relief; but he did not wish to do it in this cruel and one-sided way. The Act fell like a bombshell upon Guardians on the 1st of January last. He was present at the Board of Guardians presided over by the Earl of Kimberley, who sharply criticized the Act. Every child in receipt of out-door relief had to leave his service and go to school until he was 13. The consequence was, that children were taken from work and sent to school, and in one instance a boy who was employed at 6s. per week was sent to school and given 1s. 6d. and half a stone of flour per week—a poor consolation for his widowed mother. The right hon. Gentleman said it would have been sufficient if certain attendances had been insisted upon. Why did he not do something in that way? [MR. W. E. FORSTER: I said the noble Lord might have met the difficulty he felt in that way.] The right hon. Gentleman was six months in office after the Act passed, and had done nothing to make this Act work smoothly. If he had been at the Local Government Board, he would have been astonished at the opposition it encountered among the guardians. He would have heard that complaints were loud and general. He could point to places in which there was no school to receive children at less than 6d. a week. That fee had previously been paid by the guardians; but now they could pay only 2½d., and the result was there was “a reasonable excuse” for not sending the children to school at all. Another excuse was furnished by the fact that schools were presided over by uncertificated teachers, and another by the expulsion of rough boys from schools conducted by mistresses, in which they created disturbances, and went as far as to kick the legs of the governess. It had been said that the Fifth Standard



was the one which the children of outdoor paupers might be expected to pass. He should not like to be examined in that Standard himself, and he believed there were other Members also in that House who would not like to have to pass it. He was in an average school in the country the other day, which was conducted by a certificated mistress, and out of 54 pupils only one could pass the Fifth Standard. ["Oh!"] It was to be hoped that condition of things would improve; but the way to improve was to begin moderately and to take public opinion and the poor with us. He did not think hon. Members were aware of the extreme accuracy with which in these days the Inspectors insisted upon arithmetic, and examined in practice and bills of parcels. Village school-mistresses, although good in teaching reading and writing, were generally deficient in the power of imparting arithmetic, and therefore he thought the Fifth Standard was one which very few children in the country could pass, or would pass, for some years to come. The right hon. Member for the University of Edinburgh (Mr. Lyon Playfair) had spoken of giving a child that education which would never again admit of its becoming a pauper, and he (Mr. Read) should like to know what sort of education that was. We had in our workhouse schools the best system of book-learning we could have, and there were more educated paupers from these schools than any other. It was found in the City of London that, although the children got such an excellent education in these schools, yet in consequence of their proximity to the workhouses, and constantly mixing with paupers, the degrading badge of pauperism stuck to them, and, notwithstanding their education, they continued paupers to the end. The first duty of a pauper child was to learn how to earn a living. The great object should be to correct that indifference and inertness which constantly clung to paupers, and impart to them habits of industry and independence, so as to raise them from the scale of pauperism. He should be glad to give pauper children the best education the State could afford them; but he thought that when they considered the case of the pauper child as he was, the Third Standard would be amply sufficient for the next 18 months.

*Mr. Clare Read*

MR. LOWE: I will not stop to argue with the hon. Gentleman who has just sat down, for though I do not doubt he is a very good friend to education, I am perfectly unable to conceive how, upon the grounds which he has placed before us, he ever was able to reconcile his mind to giving the poor any education at all. I will pass to the noble Lord (Viscount Sandon) who has, I think, fallen into a fault that is very unusual. The noble Lord is new in his office, and it is the tendency of most of us when we first get into an office of importance and responsibility, to over-estimate its value and importance. What I complain of the noble Lord is, that he has under-estimated the duties of his office, and that which he is called upon to do. I do not confine myself to assertion; I say what I do in no spirit of disrespect to the noble Lord. I apprehend there are two duties cast upon the noble Lord in the most important office which he fills. The one is that, as this system of education is partly carried on by Acts of Parliament, and partly by Minutes of Council, the noble Lord ought so to frame the Minutes of Council as to carry out the spirit of the Acts of Parliament. The second duty incumbent on the noble Lord is that, as through his hands passes an enormous sum of public money, which is given by Parliament with the view of promoting the real and thorough education of the people, it is his duty by every means in his power to seek to uphold the standard of that education, and to make the money that he disburses the means, not only of still maintaining, but of elevating the standard of education all over the country. I am sorry to say that I do not think, judging by his speech to-night, that he is sufficiently aware of the magnitude of those duties, nor do I think that in this matter he has adequately discharged them. The question is, what did Parliament mean when it made, so far as it has made, education compulsory? Did it mean that that was to be a colourable proceeding—that the formula was to be gone through under the pretence of doing something, and then we were to stop? Was not Parliament aware, when it passed the Elementary Education Act, of all that has been urged to-night about the hardship of taking children away from their parents when they were earning money, and compelling them to learn? Parliament looked

at the thing in the face, and did it knowing that; and I am sure Parliament was too wise and the feelings of Parliament too liberal. The House was too liberal then to have incurred the admitted evil of taking children from work for any purpose otherwise than that they should receive a real and thorough education; it would have been cruel to have deprived the parents of what the children would have earned without the latter receiving some real and thorough benefit. Does the Minute of the noble Lord give that real and solid benefit? I say it does not. Twelve years ago I prevailed upon Parliament to lay down these standards, of which I was the inventor, when people were not supposed to be very much alive to the question of education. We treated children up to six years of age as infants, and we then endeavoured to form a scheme by which they might attain additional learning year after year between the ages of six and 12, so that, as a matter of fact, what you are asking the House to do, is to say that the children of the poor shall be sufficiently educated to be sent out into the world with an education suitable for a child of nine years of age. I say, too, that if we want a child to read and write well, we ought to teach it more, rather than less, than the Fifth Standard. It was never intended that we should stop here, and I say that if you do, you are dealing a deadly blow at education. It is for the Education Department, for the noble Lord, or for the Government—Liberal or illiberal—to define what the standard of education is to be, and I say you are doing a serious injury to the cause of education if you adopt the Third Standard, because you will be doing your best to make the school boards of the country follow your example. If the Education Department lowers the standard of education, I say that is running directly contrary to the purposes for which it was formed, and instead of elevating the education of the people, we may as well have no education at all. I feel strongly on this point, and it is most painful to me to see this done, especially, too, as it has been done so precipitately; only three weeks, indeed, after the present Government had taken office.

THE CHANCELLOR OF THE EXCHEQUER said, he had hardly expected, after the speech of his noble Friend

(Viscount Sandon), that the hon. Member for Hastings (Mr. Kay-Shuttleworth) would really go to a division; but if he did, he wished to point out that the speech of the right hon. Gentleman who had just sat down tended to confuse the issue before the House, and, indeed, to reverse that issue. If there was any question between what was real and what was colourable in the case, it was hon. Gentlemen opposite who were in danger of making those proceedings colourable; because they pretended they were giving an education which they did not give and could not give, whereas the Government said they would only give one which they really could give. Parliament, judging *à priori*, had thought it desirable to provide that children of the class confessedly the most backward and neglected should be educated to the Fifth Standard. He would not go into the difference between the Fifth and the Third Standards, because that was not the point. ["Oh!"] Well, it was only the difference between reading and writing more perfectly or less perfectly. The question was whether the Fifth Standard was one which children of that class could reasonably be expected to attain? The Government believed that if they really wished to promote education and gain the confidence of the people in carrying out the principle of compulsion, they must convince them that what they were doing was possible and practicable. In calling on that miserable class of children to pass a standard which experience had shown that but a very small proportion, even of the best children they had to deal with, were able to pass, they were manifestly asking that which it was unreasonable to ask. It must take some time to bring them up to the standard at first, although by-and-by, when the work had been going on for some years, the task might be found easier. The question really seemed to resolve itself into the difference between the view as taken by the right hon. Gentleman who had just sat down, who looked at this matter from an official point of view, and the noble Lord, who looked at it not so much from an official as from a practical point of view. It was all very well and very proper to frame schemes of education in Downing Street; but when they were for the first time compulsorily taking children of that class away from their parents and from

their work, they must be careful not to insist on what was plainly impossible, otherwise they would set the people against them and run the risk of breaking down their whole system. He maintained, therefore, that the course adopted by his noble Friend was a wise and prudent one. His course was not to reverse the policy of the last Government—[“Oh!”]—and not to lower the Fifth Standard. Hon. Gentlemen opposite might cry “Oh, oh!” but upon this point he accepted the statement of his noble Friend, who had issued a Minute to all the Boards of Guardians stating that this was only a temporary measure to last 12 or 18 months, and they were at the end of that period to report upon the result. If they were told that in doing this they were doing something re-actionary, he confessed he did not know how to expect policy to be fairly judged. The Government were endeavouring to carry out this policy in the most practical way. It was not a question between two different methods. The object they sought to attain was the same in both cases, and the question really was whether they should proceed as fast as they could, or attempt to go on at a rate which was absolutely impossible.

MR. KAY-SHUTTLEWORTH, in reply, said, that as it was the wish of the House to proceed to a division, he would not stand in the way for more than a few moments. He would merely remind them that the Fifth Standard had been fixed by the Education Department, that it had been adopted by most of the school boards in the country, including that of London, of which the noble Lord (Viscount Sandon) had been an active member, and that even in the Agricultural Children Act the Fourth Standard was the minimum required. It had been reserved for the present Government to disregard all these precedents, and to say that children must not be sent to school after passing the Third Standard. It remained to be seen whether that course would be approved by Parliament.

Question put.

The House *divided*:—Ayes 202; Noes 265: Majority 63.

*The Chancellor of the Exchequer*

# AYES.

Adam, rt. hon. W. P.	Forster, Sir C.
Allen, W. S.	Forster, rt. hon. W. E.
Amory, Sir J. H.	Fothergill, R.
Anderson, G.	French, hon. C.
Anstruther, Sir R.	Goldsmid, Sir F.
Backhouse, E.	Goschen, rt. hon. G. J.
Balfour, Sir G.	Gourley, E. T.
Barclay, A. C.	Gower, hon. E. F. L.
Barclay, J. W.	Gray, Sir J.
Bass, A.	Grey, Earl de
Bassett, F.	Grieve, J. J.
Baxter, rt. hon. W. E.	Hankey, T.
Beaumont, Major F.	Harcourt, Sir W. V.
Bell, I. L.	Harrison, C.
Biddulph, M.	Harrison, J. F.
Biggar, J. G.	Hartington, Marq. of
Blennerhassett, R. P.	Havelock, Sir H.
Brassey, H. A.	Hayter, A. D.
Brassey, T.	Henry, M.
Briggs, W. E.	Hodgson, K. D.
Bristowe, S. B.	Hopwood, C. H.
Brocklehurst, W. C.	Ingram, W. J.
Brogden, A.	Jackson, H. M.
Brooks, rt. hon. M.	James, W. H.
Brown, A. H.	James, Sir H.
Bruce, rt. hn. Lord E.	Jenkins, D. J.
Bryan, G. L.	Jenkins, E.
Burt, T.	Johnstone, Sir H.
Cameron, C.	Kensington, Lord
Campbell-Bannerman, H.	Kingscote, Colonel
Carrington, hn. Col. W.	Kinnaird, hon. A. F.
Carter, R. M.	Kirk, G. H.
Cave, T.	Knatchbull-Hugessen, rt. hon. E.
Cavendish, Lord F. C.	Laverton, A.
Cavendish, Lord G.	Lawson, Sir W.
Chadwick, D.	Leatham, E. A.
Childers, rt. hon. H.	Lefevre, G. J. S.
Cholmeley, Sir H.	Leith, J. F.
Clarke, J. C.	Lloyd, M.
Clifford, C. C.	Locke, J.
Cogan, rt. hn. W. H. F.	Lowe, rt. hon. R.
Cole, H. T.	Lubbock, Sir J.
Collins, E.	Macduff, Viscount
Colman, J. J.	Macgregor, D.
Conyngham, Lord F.	M'Arthur, A.
Cotes, C. C.	M'Arthur, W.
Cowan, J.	M'Carthy, J. G.
Cowper, hon. H. F.	M'Kenna, Sir J. N.
Crawford, J. S.	M'Lagan, P.
Cross, J. K.	M'Laren, D.
Dalway, M. R.	Maitland, J.
Davies, R.	Martin, P. W.
Dickson, T. A.	Martin, P.
Dillwyn, L. L.	Massey, rt. hon. W. N.
Dixon, G.	Meldon, C. H.
Dodds, J.	Melly, G.
Dodson, rt. hon. J. G.	Milbank, F. A.
Downing, M'C.	Mitchell, T. A.
Dunbar, J.	Monk, C. J.
Dundas, J. C.	Moore, A.
Edwards, H.	Morgan, G. O.
Egerton, Adm. hon. F.	Morley, S.
Evans, T. W.	Mundella, A. J.
Fawcett, H.	Mure, Colonel
Fay, C. J.	Murphy, N. D.
Ferguson, R.	Nevill, C. W.
Fitzmaurice, Lord E.	Noel, E.
Fitzwilliam, hon. C.	Nolan, Captain
W. W.	Norwood, C. M.
Fordyce, W. D.	O'Brien, Sir P.

O'Byrne, W. R.  
 O'Callaghan, hon. W.  
 O'Clery, K.  
 O'Connor, D. M.  
 O'Connor Don, The  
 O'Gorman, P.  
 O'Keeffe, J.  
 O'Loughlan, rt. hon. Sir  
   C. M.  
 O'Reilly, M.  
 O'Shaughnessy, R.  
 O'Sullivan, W. H.  
 Palmer, C. M.  
 Parry, T.  
 Pease, J. W.  
 Peel, A. W.  
 Pennington, F.  
 Perkins, Sir F.  
 Playfair, rt. hn. Dr. L.  
 Portman, hn. W. H. B.  
 Potter, T. B.  
 Power, R.  
 Price, W. E.  
 Ramsay, J.  
 Rathbone, W.  
 Redmond, W. A.  
 Reid, R.  
 Richard, H.  
 Robertson, H.  
 Roebuck, J. A.  
 Ronayne, J. P.  
 Rothschild, N. M. de  
 Russell, Lord A.  
 Samuda, J. D'A.  
 Samuelson, B.  
 Seely, C.

Shaw, W.  
 Sheil, E.  
 Sherriff, A. C.  
 Simon, Mr. Serjeant  
 Sinclair, Sir J. G. T.  
 Smith, E.  
 Smyth, R.  
 Stafford, Marquis of  
 Stansfeld, rt. hon. J.  
 Stevenson, J. C.  
 Sullivan, A. M.  
 Swanston, A.  
 Taylor, D.  
 Temple, rt. hon. W.  
   Cowper-  
 Thompson, T. C.  
 Tracy, hon. C. R. D.  
   Hanbury-  
 Trevelyan, G. O.  
 Vivian, A. P.  
 Vivian, H. H.  
 Waddy, S. D.  
 Watkin, Sir E. W.  
 Whitbread, S.  
 White, hon. Col. C.  
 Whitwell, J.  
 Whitworth, W.  
 Williams, W.  
 Wilson, C.  
 Wilson, Sir M.  
 Young, A. W.

TELLERS.  
 Cartwright, W.  
 Kay - Shuttleworth,  
   U. J.

## NOES.

Adderley, rt. hn. Sir C.  
 Agnew, R. V.  
 Alexander, Colonel  
 Archdale, W. H.  
 Arkwright, A. P.  
 Arkwright, R.  
 Ashbury, J. L.  
 Assheton, R.  
 Baggallay, Sir R.  
 Bailey, Sir J. R.  
 Balfour, A. J.  
 Ball, rt hon. J. T.  
 Baring, T. C.  
 Barrington, Viscount  
 Barttelot, Colonel  
 Bates, E.  
 Bateson, Sir T.  
 Bathurst, A. A.  
 Beach, rt. hn. Sir M. H.  
 Beach, W. W. B.  
 Bentinck, G. C.  
 Beresford, Lord C.  
 Beresford, Colonel M.  
 Birley, H.  
 Boord, T. W.  
 Bourke, hon. R.  
 Bourne, Colonel  
 Bousfield, Major  
 Bright, R.  
 Brise, Colonel R.  
 Broadley, W. H. H.  
 Brooks, W. C.  
 Bruce, hon. T.  
 Bruen, H.

Bulwer, J. R.  
 Burrell, Sir P.  
 Buxton, Sir R. J.  
 Callender, W. R.  
 Cameron, D.  
 Campbell, C.  
 Cartwright, F.  
 Cawley, C. E.  
 Cecil, Lord E. H. B. G.  
 Chaplin, Colonel E.  
 Chapman, J.  
 Christie, W. L.  
 Churchill, Lord R.  
 Clifton, T. H.  
 Close, M. C.  
 Clowes, S. W.  
 Cobbett, J. M.  
 Cobbold, J. P.  
 Cole, hon. Col. H. A.  
 Conolly, T.  
 Coope, O. E.  
 Cordes, T.  
 Corry, hon. H. W. L.  
 Corry, J. P.  
 Crichton, Viscount  
 Cross, rt. hon. R. A.  
 Cubitt, G.  
 Cuninghame, Sir W.  
 Cust, H. C.  
 Dalkeith, Earl of  
 Dalrymple, C.  
 Davenport, W. B.  
 Denison, W. E.  
 Dick, F.

Dickson, Major A. G.  
 Disraeli, rt. hon. B.  
 Douglas, Sir G.  
 Dowdeswell, W. E.  
 Dyott, Colonel R.  
 Eaton, H. W.  
 Edmonstone, Adm. Sir  
   W.  
 Egerton, hon. A. F.  
 Egerton, hon. W.  
 Elliot, Admiral  
 Elliot, G.  
 Elphinstone, Sir J. D. H.  
 Eslington, Lord  
 Estcourt, G. B.  
 Fellowes, E.  
 Finch, G. H.  
 FitzGerald, rt. hn. Sir S.  
 Floyer, J.  
 Folkestone, Viscount  
 Forester, rt. hon. Gen.  
 Forsyth, W.  
 Gallwey, Sir W. P.  
 Galway, Viscount  
 Gardner, J. T. Agg-  
 Gardner, R. Richard-  
   son-  
 Garnier, J. C.  
 Goddard, A. L.  
 Goldney, G.  
 Gordon, rt. hon. E. S.  
 Gordon, W.  
 Gore, J. R. O.  
 Gore, W. R. O.  
 Grantham, W.  
 Greenall, G.  
 Greene, E.  
 Gregory, G. B.  
 Guinness, Sir A.  
 Gurney, rt. hon. R.  
 Hall, A. W.  
 Halsey, T. F.  
 Hamilton, Lord C. J.  
 Hamilton, I. T.  
 Hamilton, Lord G.  
 Hamilton, Marquis of  
 Hamilton, hon. R. B.  
 Hamond, C. F.  
 Hanbury, R. W.  
 Hardcastle, E.  
 Hardy, rt. hon. G.  
 Hardy, J. S.  
 Hay, rt. hn. Sir J. C. D.  
 Heath, R.  
 Henley, rt. hon. J. W.  
 Hermon, E.  
 Hervey, Lord A. H.  
 Hervey, Lord F.  
 Hick, J.  
 Hill, A. S.  
 Hogg, J. M.  
 Holford, J. P. G.  
 Holker, J.  
 Holmesdale, Viscount  
 Holt, J. M.  
 Home, Captain  
 Hood, Captain hon. A.  
   W. A. N.  
 Huddleston, J. W.  
 Hunt, rt. hon. G. W.  
 Isaac, S.  
 Johnson, J. G.  
 Johnston, W.

Johnstone, J. J. Hope-  
 Johnstone, Sir F.  
 Jolliffe, hon. Captain  
 Jones, J.  
 Kavanagh, A. MacM.  
 Kennard, Colonel  
 Kennaway, Sir J. H.  
 Knowles, T.  
 Laird, J.  
 Learmonth, A.  
 Lee, Major V.  
 Legard, Sir C.  
 Lennox, Lord H. G.  
 Leslie, J.  
 Lewis, C. E.  
 Lloyd, S.  
 Lloyd, T. E.  
 Lopes, H. C.  
 Lopes, Sir M.  
 Lorne, Marquis of  
 Lowther, hon. W.  
 Lowther, J.  
 Macartney, J. W. E.  
 Mackintosh, C. F.  
 Mahon, Viscount  
 Majendie, L. A.  
 Makins, Colonel  
 Manners, rt. hn. Lord J.  
 March, Earl of  
 Marten, A. G.  
 Mellor, T. W.  
 Milles, hon. G. W.  
 Mills, Sir C. H.  
 Montgomerie, R.  
 Montgomery, Sir G. G.  
 Morgan, hon. F.  
 Mowbray, rt. hn. J. R.  
 Mulholland, J.  
 Muncaster, Lord  
 Naghten, A. R.  
 Neville-Grenville, R.  
 Newdegate, C. N.  
 Newport, Viscount  
 North, Colonel  
 Northcote, rt. hon. Sir  
   S. H.  
 O'Neill, hon. E.  
 Onslow, D.  
 Paget, R. H.  
 Palk, Sir L.  
 Parker, Lt. Col. W.  
 Pateshall, E.  
 Pell, A.  
 Pemberton, E. L.  
 Peploe, Major  
 Perceval, C. G.  
 Phipps, P.  
 Plunket, hon. D. R.  
 Plunkett, hon. R.  
 Polhill-Turner, Capt.  
 Powell, W.  
 Praed, H. B.  
 Price, Captain  
 Puleston, J. H.  
 Raikes, H. C.  
 Read, C. S.  
 Rendlesham, Lord  
 Repton, G. W.  
 Ridley, M. W.  
 Ritchie, C. T.  
 Round, J.  
 Sackville, S. G. S.  
 Sandon, Viscount



Sclater-Booth, rt. hn. G.	Torr, J.
Scott, Lord H.	Tremayne, J.
Scott, M. D.	Trevor, Lord A. E. Hill-
Scourfield, J. H.	Turner, C.
Selwin - Ibbetson, Sir	Turnor, E.
H. J.	Twells, P.
Shirley, S. E.	Verner, E. W.
Shute, General	Wait, W. K.
Sidebottom, T. H.	Wallace, Sir R.
Simonds, W. B.	Walpole, hon. F.
Smith, A.	Walsh, hon. A.
Smith, F. C.	Waterhouse, S.
Smith, S. G.	Watney, J.
Smith, W. H.	Welby, W. E.
Smollett, P. B.	Wellesley, Captain
Somerset, Lord H. R. C.	Wells, E.
Spinks, Mr. Serjeant	Wethered, T. O.
Stanford, V. F. Benett-	Whalley, G. H.
Stanhope, hon. E.	Wheelhouse, W. S. J.
Stanhope, W. T. W. S.	Whitelaw, A.
Stanley, hon. F.	Williams, Sir F. M.
Starkey, L. R.	Wilmot, Sir H.
Starkie, J. P. C.	Wilmot, Sir J. E.
Steere, L.	Woodd, B. T.
Stewart, M. J.	Wynn, C. W. W.
Storer, G.	Yorke, J. R.
Sykes, C.	
Talbot, J. G.	TELLERS.
Taylor, rt. hon. Col.	Dyke, W. H.
Tennant, R.	Winn, R.

## PUBLIC DEPARTMENTS (PURCHASES, &amp;C.)

Select Committee *appointed*, "to inquire into and report upon the existing principles and practice which in the several Public Departments and Bodies regulate the Purchase and Sale of Materials and Stores:"—Committee to consist of Nineteen Members:—Committee *nominated*:—Colonel BARTTELOT, Sir GEORGE BALFOUR, Mr. BAXTER, Mr. ALEXANDER BROWN, Mr. CAMPBELL-BANNERMAN, Mr. BATES, Mr. CROSSLEY, Mr. WILLIAM CARTWRIGHT, Mr. GOLDNEY, Sir JOHN HAY, Mr. MITCHELL HENRY, Mr. HICK, Mr. JOHN HOLMS, Mr. LAIRD, Mr. MELLOR, Mr. SALT, Mr. TORR, Mr. ROWLAND WINN, and Mr. WHITWELL, with power to send for persons, papers, and records:—Minutes of the Evidence taken before the Select Committee on Public Departments (Purchases, &c.) in Session 1873, referred to the Committee:—Five to be the quorum.

House adjourned at  
One o'clock.

## HOUSE OF COMMONS,

Wednesday, 6th May, 1874.

MINUTES.]—PUBLIC BILLS—*Second Reading*—

Factory Acts Amendment [5], *debate adjourned*.

Select Committee—Parliamentary Elections (Returning Officers) \* [68], Mr. Charles Lewis *added*; Municipal Privileges (Ireland) \* [33], *nominated*.

*Withdrawn*—Sale of Liquors on Sunday (Ireland) \* [43].

## FACTORY ACTS AMENDMENT BILL.

(Mr. Mundella, Mr. Shaw, Mr. Callender, Mr. Philips, Mr. Corbett, Mr. Anderson, Mr. Morley.)

[BILL 5.] SECOND READING.

Order for Second Reading read.

MR. MUNDELLA: Mr. Speaker, although this is the third Session of Parliament in which the Factory Acts Amendment Bill has been before the House, yet, owing to the fact that in the first Session it was brought in late, and in the second Session that the result of the inquiry instituted by the Government had not been reported, and it was again too late for that Session, this is in reality the first opportunity which has been presented to us for a full discussion of the question on its merits. Seeing, then, that I am appealing to a new House of Commons, and that a considerable proportion of the Members of that House have not been familiar with the discussions that have heretofore taken place upon this Bill; seeing also that the subject has been the occasion of considerable discussion in the country since the last Session of Parliament, and that it has been made a test question in many constituencies, especially in the manufacturing districts, I feel that I must ask the forbearance of the House whilst I submit, as succinctly as I possibly can, the reasons for introducing this measure and the grounds upon which I claim the assent of the House to its further progress. In doing this, I must ask the House to consider the measure on its own real merits. I must also ask hon. Members not to allow it to be prejudiced by any defects or faults in my advocacy. I am quite conscious of my inability to deal with the question in an adequate manner—in the manner which a question of such vast importance deserves; and I am quite sure that it is impossible, during the time that I shall venture to trespass on the attention of the House, to state one half the arguments that might be adduced in favour of the measure. This question, Sir, has encountered considerable opposition. I know that I have powerful and influential opponents. I know that those who have taken up the weapons against this measure are gentlemen of great wealth, with much leisure, and great aptitude for public business. Still, Sir, I think I have reason for congratulation in the fact that up to this time, notwith-

standing some slight misrepresentation, which I believe is not intentional, and some misunderstanding which is very natural to happen in the course of proceedings such as took place last Session, many of my opponents have treated my advocacy of this measure with good temper and in a kindly spirit. I think, too, Sir, that it augurs well for the future success of the measure that those of my opponents who had previously advocated legislation have been exceptionally kind, courteous, and considerate. It is quite true that the Bill has provoked the publication of a large amount of literature, a good deal of which might be fairly classed among the "Curiosities of Literature." Some of it has been addressed to Members of this House, and I fear that I have done much to fill the pockets of the printers, and the waste-paper baskets of hon. Members. But, again, I would ask the House fairly to judge of my Bill by that which is contained within its four corners, and to put out of sight any inuendos they may have heard as to what it is intended to contain, and as to what it is intended to bring about. I can assure the House that the real object of the Bill is stated fairly on the face of it, and I beg the House to judge of my motives and my opinions by the language I use in this House, and not by what I have been represented as saying outside by interested parties. As I have stated before in this House, no legislation has ever taken place in this country which provoked so much bitter hostility and so much personal acrimony in times past as factory legislation. Forty or 50 years ago it was regarded as county against town, the landed gentry against the manufacturing interest, and as Tory against Whig. The two parties in the State were arrayed one against the other. Each charged the other with bidding for popular favour, in order to carry a measure that would bring about the ruin of the manufacturing interest of the country. Happily there is no such feeling in existence to-day. But even so recently as the year 1844, factory legislation had arrayed against it some of the most illustrious statesmen and political economists of the present century. Lord Brougham, Sir Robert Peel, Mr. Macaulay, Sir James Graham, Mr. Cobden, my hon. and learned Colleague (Mr. Roebuck), Mr. John Stuart Mill, and many other distinguished men were

strong and almost bitter and acrimonious in their opposition to factory legislation. But, Sir, all or nearly all of these men lived to see the error of their opinions, and frankly, generously, and magnanimously acknowledged their error. Sir James Graham, Mr. Cobden, my hon. and learned Colleague, and many others lived to applaud and extend the very measure which they had formerly opposed. Lord Macaulay was one example that is particularly noteworthy. He stood as candidate for the borough of Leeds in the year 1832, and Mr. Michael Thomas Sadler was his opponent. At that time Mr. Sadler advocated the very Bill which is now law. It was a Ten Hours Bill. Indeed, I ought to say that the Ten Hours Bill was not so extensive in its scope as the law which is now in operation. It was exclusively confined to young persons under 18 years of age employed in factory labour; and Lord Macaulay, when questioned about this Bill at the Leeds election, said—

"I look on the Factory Bill, while admitting the propriety of regulating the labour of children as a quack medicine. I say with the least scruple that to tell a man he shall have 10 hours' work and 12 hours' wages is the same as telling him that by swallowing a certain pill he may get rid of all disease even if it be of 30 years' continuance. Therefore, while I have declared myself friendly to a measure for the regulation of the labour of children, I will not agree to rash measures which would drive the whole trade of this country to other countries, lower your wages, and aggravate every distress that you now endure."

Such, then, was Lord Macaulay's opinion on factory legislation in the year 1832. On the 22nd of May, 1846, Mr. John Fielden brought in a Bill for regulating the labour of children, young persons and women, by confining that labour to 10 hours a day on five days of the week, and eight hours a day on Saturdays, and prohibiting the employment of children under nine years of age. On that occasion a most eloquent speech was delivered by Lord Macaulay in its favour; indeed, I think there are few of Lord Macaulay's speeches that are equal to the speech which he then delivered on the Ten Hours Bill; and singular enough it was a reply to a speech of the Member for Sheffield (Mr. Ward). Well, Lord Macaulay says in that speech—

"My noble Friend near me seemed to think that the time was ill chosen. I must say that I am of a different opinion. We carried up on Monday to the House of Lords a Bill which, if

our expectations are answered, will have the effect of raising the condition of the labouring classes, and of giving to the people of this country a very great advantage they have not hitherto possessed in their competition with foreign countries. It does seem to me that there could be no time more favourable for the transition we are now discussing, than the present. I must add, that I think it would be highly honourable to this House to make in one week, as far as is in our power, a reparation for two great errors of two different kinds; for, Sir, as law-givers, we have errors of two different kinds to confess and repair. We have done that which we ought not to have done; we have left undone that which we ought to have done. We have regulated that which we ought to have left to regulate itself; we have left unregulated that which it was our especial business to have regulated. We have given to certain branches of industry a protection which was their bane. We have withheld from public health and from public morality a protection which it was our duty to have given. We have prevented the labourer from getting his loaf where he could get it cheapest, but we have not prevented him from prematurely destroying the health of his body and mind by inordinate toil. I hope and believe that we are approaching the end of a vicious system of interference, and of a vicious system of non-interference. We have just done what was in our power for the purpose of repairing the greatest of all the errors we have committed in the way of interference; and I hope we shall to-night, by giving an assent to the principle of this measure, take a step toward repairing another error—the error of neglect.”—[3 *Hansard*, lxxxvi. 1044.]

That language of Lord Macaulay was language that was afterwards echoed by Sir James Graham, by my hon. and learned Colleague, (Mr. Roebuck) by Mr. Cobden, by Lord Brougham, by Sir Robert Peel, and by others who had been at first the opponents of factory legislation. Experience had taught them that it was necessary to regulate the labour of those who were unable to protect themselves, and therefore needed the protection of this House; and since that time further experience has still more convinced us of the value of that legislation. Our factory legislation, indeed, has found copyists in all the nations of Europe, which in some instances have gone beyond it, more especially in their care and protection of young children. And not only has it been copied by other nations, but every statesman or politician who has written upon it has written upon it with admiration; and all over the Continent of Europe, in every Continental city, you will find works published in praise of our English factory legislation. The present Prime Minister, speaking at Glasgow in November last, said he regarded his sup-

*Mr. Mundella*

port of the Ten Hours Bill as one of the most satisfactory incidents of his life. And it has always been recorded to the honour of the party opposite that they were the promoters of factory legislation when the party with whom I sit were its opponents, and for this the working classes feel to this day that they owe a debt of gratitude to the party now in power. The Duke of Argyll, in that excellent work of his, *The Reign of Law*, declares that he regards factory legislation and all the restrictions on labour for the good of labour, as one of the greatest discoveries in political science. He says—

“During the present century two great discoveries have been made in the science of Government: the one is the immense advantage of abolishing restrictions upon trade; the other is the absolute necessity of imposing restrictions upon labour.”

He further says—

“If, during the last fifty years, it has been given to this country to make any progress in political science, that progress has been in nothing happier than in factory legislation. The names of those who strove for it and through whose faith and perseverance it was ultimately carried are, and ever will be, in the history of politics, immortal names. No Government and no Minister has ever done a greater—perhaps all things considered, none has ever done so great a service.”

Having had personal experience for 30 years of the working of these Acts, I must declare my entire agreement with the opinions so eloquently and forcibly expressed by the noble Duke, and I thoroughly agree with what I heard a large employer in Lancashire say last week—that, but for Lord Shaftesbury's Factory Bill, we should have had a considerable portion of the Lancashire factory workers cripples. There is no doubt, then, that this legislation has been a blessing to the manufacturing community, and it is to the honour of our employers that they cultivate the most loyal spirit in carrying out the law, and, so far as they are concerned, do so cheerfully and are perfectly satisfied with it. Now, my hon. Friend the Member for Manchester (Sir Thomas Bazley) has put upon the Notice Paper a Motion expressing disapproval of a private Member originating legislation of this kind. I confess that I hardly understand the allusion; but it seems to me to convey a rebuke to me for taking upon myself duties which fairly devolve upon the Executive Government. His Notice is—

“That legislation upon interests so vast and

important as are involved in the question of diminishing the hours of labour in Factories, and of further restricting the capital of the employers, ought to originate with Government rather than with a private Member."

Sir, I think my hon. Friend can hardly have forgotten the history of factory legislation. Whose are the names which introduced and carried Factory legislation? Is there the name of a single Member of a Government amongst them? Did a single Prime Minister ever touch it except to play with and to damage it? Why, all the measures that have been carried for the benefit of factory workers, have been introduced and carried by private Members.

SIR THOMAS BAZLEY: My hon. Friend has not accurately quoted the Amendment of which I have given Notice. What it says is—

"That legislation upon interests so vast and important as are involved in the question of diminishing the hours of labour in Factories, and of further restricting the capital of the employers, ought to originate with Government rather than with a private Member, nor without the previous inquiry of a Committee or Commission to report upon the merits of a question of such magnitude, to guide the House and the Government in determining whether any and what amendments are needed."

MR. MUNDELLA: I had not seen the Notice Paper of to-day. I read from the Paper which was supplied to us yesterday morning; I may, therefore, be excused from reading his own words. Well, then, what are the names of the men who have been illustrious in promoting factory legislation? The first Act of the kind was passed in the year 1802, at the instance of the first Sir Robert Peel, and was called—most appropriately, I think—the "Morals and Health Act." Prior to the passing of that Act, the apprentices were brought to the workshops and worked in relays, and it was said of them that their beds were never cold. The evils which then existed were such as, I am thankful to say, do not now exist, and cannot now exist; for I admit that the Acts which are in operation have done much to allay a great deal of misery and disease, and to improve the health and *physique* of our factory population. The next Act was passed by Sir John Cam Hobhouse in 1825, and applied to factory children only. In 1830, there was considerable agitation in the country on the subject of factory labour, and in 1832, Mr. Sadler's Bill passed. Agitation, however, continued and lasted nearly 30

years. In 1833, Lord Ashley brought in his Ten Hours Bill; but failed in carrying it. In 1847, Mr. Fielden succeeded in carrying his Bill for 58 hours a-week, and limiting the age for children to nine years. I may be told that I am touching a dangerous question in dealing with this; and my hon. Friend who has given Notice of the Amendment seems to think so; but when I think that, so far back as 1847, the working hours were 58, and children were not to be employed under nine years of age, I feel that my Bill is a moderate one in asking for a reduction of the hours of labour to 54, and that children shall be half-timers from the age of 10. The manufacturers resisted the legislation of 1847, and endeavoured to evade the Act by working relays; but in 1850, a settlement was arrived at by fixing the hours at 60 per week, and the minimum age of employment at eight years, and from that time to this we have not only been working the textile factories under that Act, but we have been steadily extending legislation to every branch of our national industry. We have passed Print Works Acts, Bleaching Works Acts, Lace Factories Acts, and Hosiery Factories Acts, until we have gradually brought in almost every branch of trade and industry in the country; and, as I think, with the utmost possible advantage to the country. I have never known any one who had worked under the Factory Acts for a year or two desire to return to the old state of things. Even recently in London, the dressmakers, large millinery houses, paper bag manufactories, and other industries employing females, have declared themselves contented with the change, and say that it is better for the workpeople's health, better for their morals; that they get a better class of hands; in short, that the results are most satisfactory to all concerned. The largest measure for the restriction of the hours of labour ever passed by this House was carried in the year 1867, when the right hon. Gentleman the Member for the University of Oxford (Mr. Hardy) was Home Secretary. That was the Factory Acts Extension Act and the Workshops Regulation Act. These Acts brought within their scope not less than 1,400,000 persons—children, young persons, and women; and I am bound to say that the great majority of them were women. I



find from the second Report of the Children's Employment Commission, that a large proportion of this number were women. The lace manufacture employed 150,000, hosiery 120,000, straw plait 100,000, milliners and dress-makers 286,000, seamstresses, boot-makers, glovers, &c., 300,000. When that Act came before the House, it owed much of its success, and much of its completeness in passing through the House, to my hon. Friend the Member for Hackney (Mr. Fawcett), whom, I am sure, we are all delighted to see in the House again. My hon. Friend has since modified his opinions on the question of the employment of women. That, however, is a fair subject for discussion; but the course which he has taken on the present occasion is one for which I owe him a debt of gratitude; for he has consented to defer any objections which he entertains to this Bill until we arrive at the next stage and go into Committee upon it, and then raise the question respecting the employment of women and have it thoroughly discussed. For my own part, I shall be thankful for the opportunity of having it fully discussed. It was discussed in this House more than 30 years ago, and when it is discussed again, and he comes to know something of the internal economy of our mills, I believe he will agree with me that we cannot abolish the restrictions which have been imposed on the employment of women. At the time when the great measures of 1867 passed through this House Mr. John Stuart Mill sat in the House—the whole time as Member for the City of Westminster. No man had written more strongly than he did 30 years before with regard to the non-restriction of the employment of women, and no man had more the courage of his opinions or a greater amount of moral intrepidity than Mr. John Stuart Mill. Yet I have searched in vain in the division lists for the name of Mr. Mill, and in the reports in *Hansard*, for one word of Mr. Mill against the passing of those measures. I have a right to assume then—and those who know anything of his intrepidity and independence will agree with me—that Mr. Mill was in favour of those measures. At any rate, if he were not, he never uttered one word against them in this House. In 1871, we made the Workshops Act operative by another Bill, which placed them

under the Factory Inspectors. We included brickyards, and placed restrictions upon the employment of women and boys in those places, and that with the best results. But I come now to the measure which is more immediately under the consideration of the House. The House will recollect what a general reduction has taken place in the hours of labour throughout the country during the last five years; but those who suppose that that reduction has been confined to Great Britain make a great mistake. It seems to me that it is no longer a national movement, but has become a world-wide movement. It has gone to a greater extent on the Continent of Europe than it has in England, for whereas we have gone down from 10 hours to 9 in the trades of England, on the Continent they have gone down from 14 or 15 hours to 11 and 10, and whilst in this country the wages of labour in textile fabrics have advanced but very moderately in those 5 years, on the Continent, in the textile fabrics, the wages have advanced not less than 20 per cent. In some branches of manufacture they have doubled, and in Germany I know where there are 400 looms standing still because the workmen say they will work hand looms no longer. They say—"We will have power looms, for then we can get good wages." It is only natural, when other industries are reducing the hours of labour, that the factory workers should ask that their hours should be reduced also. They have had no reduction since the year 1847; on the contrary, their hours are increased to 60 a-week from 58. The result has been that many employers have felt compelled to give way on this point, and notably Mr. Hugh Mason, of Ashton, has set the example by requiring his people to work 58 hours a-week instead of 60. When Mr. Mason gave way, others gave way also; some two hours, some three; in Scotland many employers went down to 57. This matter was much discussed in the newspapers at the time, and created much agitation, particularly in Manchester. To such an extent did the agitation go that Mr. Mason was badly received on the Manchester Exchange; in fact, he was hooted off the Exchange for reducing the hours of labour of his workpeople. In 1871 there arose a discussion in the Manchester Chamber of Commerce upon the subject. In that discus-

sion Mr. Hugh Mason took part, and this is what he said in his speech—

“The English spinner can hold his own with any country in Europe, in any neutral market in the world to which he had access; and there was nothing whatever to fear even as regarded the attempt which was now being made—and which he sincerely hoped would succeed—by the cotton operatives, to shorten their hours of labour from 60 to 58 hours per week. He was sure the movement would go on, and that, instead of being a disadvantage to the capitalists, it would be an advantage to both masters and men. The hours of work had been too long for the operative to work with the vigour and attention which the complicated machinery of the present day demanded. At present, we require in our cotton factories more brains and less of brute labour than we ever required.”

Yes, Sir, it is brains that we must cultivate in future in order to maintain our national industry. Now, it happened, singularly enough, in the Recess of 1871, that I received letters from two opposite quarters, written by two large manufacturers, in which they told me that their people were very uneasy, and that they thought the time had come when the hours of labour ought to be brought down to 54 a-week. I must mention this circumstance, because it has been alleged, to the disparagement of my measure, that it is promoted by workmen for trades-unionist objects. One of my correspondents is a friend of mine, and one of the largest employers in the Midland Counties, and he said he was sure it would be advantageous to everybody if some legislative measure were introduced to reduce the hours of labour. Four or five years ago I prevailed on that gentleman to examine into the educational condition of his workpeople. Well, they were sent to a half-time school, and he was so shocked by their educational condition, which he found to be appalling, that he said, “We must raise the age of the half-timers, give them shorter hours for half-time, and longer hours at school, and not continue to stunt both their minds and bodies.” Another large employer in Yorkshire wrote me to the same effect. I heard no more about it until December, when I was in Yorkshire, and a deputation of employers and employed waited upon me. At that interview there were as many employers as workmen present, and they said to me—“The time has come when the hours of labour must be reduced in factories, as they have been everywhere else.

The general average in other occupations is nine hours, and it ought to come down in factories also. The hours are too long; the pressure on the people is too great; there are more looms and spindles to be attended to, and consequently the children are constantly on their feet, and unable to bear the excessive strain.” In reply, I said I would take some time to deliberate, and would make inquiries into the economic side of the question, in order to ascertain how far it was possible to reduce the hours of labour, and yet hold our own in the markets of the world. I have friendly relations with almost every manufacturing country in Europe. I have had the *entrée* for the last quarter of a century into any factory on the Continent, particularly in France, and Belgium, and Germany. I have seen all that has been going on there, and I have always known this—that where the English spinner employs three persons the foreign spinner invariably employs five. But that is a most moderate computation; and when we hear hon. Gentlemen talking of foreigners working longer hours, I will tell you how they do it. I have seen mills abroad working on the Sunday morning until 12 o'clock, while the men were dawdling about from 5 in the morning until 8 at night all the days of the week; the fact is, that they do not work with the same regularity, nor do they apply themselves with the same vigour and energy, nor in the same systematic manner that the workpeople do here. The result is all against the employer. He suffers from waste of various kinds, and can never make the same calculations with regard to his production that the English manufacturer can. I say, then, that the concentration of labour in the fewest possible hours is the very best thing both for the employer and the employed. Well, I tried the experiment in my own mills, under a clause of the Factories Acts—which, I regret to say, is too little tried—of fixing the working hours from 8 to 7 in the winter months, the usual time in all our factories being from 6 to 6. Now, 6 to 6 means that the women must get up at 5 o'clock, and those of them who have children must be clever indeed to be able to dress them, deposit them at the leaving shops, and get to the mill at 6. Six to 6 means the women going through the streets at that early hour,

hardly dressed, often unkempt and unwashed—as I have frequently seen them—going without food, and doing two or two hours and a-half work before they get any. I have seen women again and again passing through the streets of Nottingham, who have had to come a mile or two to their work, and in one district in Nottingham they have often to come three miles to their work, through heavy rains and through snow on a winter's morning, in order to be in the mill precisely at 6 o'clock. Well, we tried the experiment of working from 8 to 7 instead of 6 to 6, and so brought the hours down to 55 a-week; the women being able to get their breakfasts before they came. I have now tried it for several years in succession, and the effect has been the production of more work from 8 to 7 than from 6 to 6. The experiment has been thoroughly successful. From the time I commenced it it has not been dropped and will not cease, because it is a mode of working that is most efficient and economical. In 1872 Mr. Hugh Mayson tried an experiment, and at the end of a year he called his people together, gave them a tea, and delivered an address to them, in which he said:—"We have tried this system of 58 hours a week for one year, and I am bound to say that, without increasing the speed of my motive power, I have turned out as much yarn as I did when the hours were 60 a week." I have talked with other gentlemen who have tried the experiment. I find manufacturers at Bury, Rochdale, and other places who have tried the 58 hours saying the same thing. None of them had any desire to return to the 60 hours. What is more, most of them are prepared to go farther, and several assured me last week that they are so satisfied with the experiment that they are willing to go down to 54. My attention was called last Session to a large Blue Book, containing the evidence which was taken before the Select Committee on the protection of infant life which was appointed on the Motion of the hon. Member for Salford (Mr. Charley). Many hon. Members of this House may not have made themselves acquainted with the revelations contained in that book, and such as have not I would recommend to turn their attention to it. All I can say is, that so far as infant mortality is concerned in connection with factory work-

ing, the revelations which are made are simply horrible, appalling, and disgraceful to us as a Christian people. I believe that a reduction in the hours of labour which would enable women who are mothers the opportunity of making some provision for their children an hour or two in the morning before they go to the mill would have a considerable effect in reducing the mortality now existing among infants. In 1872 I first brought in my Bill, and attempts have been made ever since to create a prejudice against it because it has received the support of trades unionists throughout the country; but I do not see why, if even trades unionists had originated the Bill, and I had brought it in at their request, it should not be considered by the House upon its merits. But they have had nothing to do with it. They only give it their approval and support, and I say that it would be a disgrace to them if they did not support it. If they did not sympathize with such a measure their associations would be a sham and a selfish sham too. But these associations also support the Bill of the hon. Member for Derby (Mr. Plimsoll) for the protection of the lives of our seamen; and it would be just as reasonable to advance as an argument against the Bill of the hon. Member for Derby, that the trades unionists are in its favour—having voted thousands of pounds for its support—as it is to urge it against my Bill. I hold, Sir, that it is no discredit to working-men or trades unionists that they should so act. On the contrary, I say that it greatly redounds to their honour. The first object, then, of the measure which I ask the House to read a second time, is to raise the age of half-timers from eight years to 10, so that no child can enter a mill to work until he is 10 years old. That proposal I make in consideration of the question of health and education. My second object is to raise the age of full-timers to 14 years, unless they can pass, and have passed a minimum standard of education; and I am almost ashamed to say that I have selected the famous Third Standard which was the subject of debate last night. I have selected that miserable Standard, because there are so many children in mills under that age who would have to work hard until they were 13 before they would be able to pass even that Standard,

and it would be too hard to impose a labour disability to begin with upon children who are not now able to pass that Standard. In the third place, I propose to reduce the hours of labour of women and young persons to 54 a-week; for five days, nine and a half hours a-day, and the balance on Saturday. And in the fourth place, I propose to repeal an exemption, which has been allowed for 30 years in favour of silk throwsters, and which has caused much trouble. Silk throwsters have the privilege as they call it, and stand firmly by it, of employing as half-timers, children of from eight to 11 years of age, and when they have reached 11, the little boys and girls so employed become full-timers, receive no more education, and work 60 hours a-week. I propose by this Bill to abolish that exemption, which I do not suppose that any Home Secretary would wish to defend. It is true that my Bill applies to textile fabrics only, and why do I propose so to limit its application? The fact is that Parliament has legislated upon this subject piecemeal, and it would be impossible for any private Member to hope to pass a measure that would deal with all the industrial employments of the Kingdom. For, in the first place, he would have to consolidate all the Factory Acts, and that would require all the tact, management, and ability of the right hon. Gentleman the Home Secretary, and would occupy the House the greater part of the Session. As a private Member, therefore, it is not for me to attempt such a task; and if I were to do so I should bring around me ten times the number of my present opponents, and render the possibility of passing this Bill much more difficult. Now, the number of persons employed in the manufacture of textile fabrics in 1847, was 544,876, of whom 363,796 were classed as children, young persons, and women; giving therefore 66 per cent of those whose labour was subject to restriction against 34 per cent of adult males. In the year 1870, the persons so employed had risen in round numbers to about 1,000,000; and of these about 74 per cent were women, children, and young persons, 26 per cent only being males over 18 years of age. Thus the restriction on the hours of labour largely increased the employment of women. The women and young girls were

557,000, and taking the average of several mills, it is calculated that there are 184,000 mothers working in the manufacture of textile fabrics. The way they got at these Returns was this. A certain number of mills in a district were taken, the work-people employed in them classified, and then an average struck over the Kingdom. Mr. Baker, in his last Return, states that 23 per cent of the women employed in mills are married; and then, when he goes into the cotton districts, he says that the married women are estimated at 26 per cent, in the flax districts 28 per cent, and in some cases more. But let the number of mothers be taken at 120,000 only, instead of 184,000, I hold that it is quite enough for my argument, and to justify legislation. The Bill now before the House was at first opposed on two grounds—first, that there were not sufficient reasons on the grounds of health and education for interference; and, secondly, that if Parliament did interfere, the result would be ruinous to the manufacturing interest, and inquiry was demanded. Lord Aberdare, then Home Secretary, granted that inquiry, and agreed to make the inquiry both with respect to the statistics of health and the conditions of the life in mills, and also through the Foreign Office, the probable effects of such a change on our export trade. What has been the result of that inquiry? Two gentlemen were appointed to conduct it, in whom this House ought to have the utmost confidence. Dr. Bridges was one; a most competent and capable man, who had been a Poor Law Inspector and a Factory Inspector—a man of the soundest judgment and most impartial character that I ever met with in my life. The other was Dr. Holmes, who is, I believe, the chief surgeon to the Metropolitan police; and these gentlemen reported that they found sufficient facts to warrant them in saying that the Bill ought to pass, with some additional restrictions as to the employment of women for a certain period after confinement. Here I should like to call the attention of the House to some of the statistics of health which apply to the cotton trade. One of the grounds on which complaint is made of the proposed reduction of hours, is the increased pressure of the work upon them. Will the House be good enough to listen to a few statistics relating to cotton only? In



the year 1850, there were 21,000,000 of spindles in that trade. In 1871, there were 33,000,000 spindles, being an increase of 57 per cent. In the year 1850, there were 250,000 looms, and in 1871, there were 405,000 looms, or an increase of 62 per cent. In the year 1850, the quantity of cotton consumed amounted to 580,000,000 lbs., and in 1871 to 1,137,000,000 lbs., representing an increase of no less than 96 per cent. Now, as to the number of hands employed. In the year 1850, the number of hands employed was 331,000, and in 1871, the number was 450,000; showing that while there was an increase in the consumption of cotton amounting to 96 per cent, an increase in the number of looms amounting to 62 per cent, and in the number of spindles amounting to 57 per cent, the increase in the number of hands employed was only 36 or 37 per cent. This increased amount of work was due to the introduction of improved machinery; but the House will bear in mind that improved machinery and increased speed imply the exercise of greater watchfulness, a closer attention, and the putting of a greater strain upon the workmen. But I will not further dwell upon that question, but refer the House to the valuable Reports of Drs. Brydges and Holmes. And now with regard to deaths. I wish to give the statistics upon that point which relate to four large cotton towns in Lancashire, and to four rural districts, or partly rural and partly manufacturing, compare them together, and with all England. I hold in my hand the last Return of the Registrar General of the death rate per 100,000 of the population during the last decade from all causes and of all ages; and I find that the average of the deaths from all causes in all England was 2,242 per 100,000; that in Manchester, it was 3,280 per 100,000; that in Oldham, it was 2,556 per 100,000; that in Blackburn, it was 2,576 per 100,000; and that in Preston, it was 2,785 per 100,000—making an average in these four cotton manufacturing towns of 2,799 as against 2,242 for England. I will now take the four partly rural and partly manufacturing districts. These are—Garstang, 1,846; Lancaster, 2,197; Ulverston, 2,065; Clitheroe, 2,034; giving an average mortality of 2,035 as against 2,799 in the purely manufacturing towns I have referred to. Again,

*Mr. Mundella*

the average of the infant mortality, that is of children under one year old, in England, per 100,000 living, is 18,041; whilst the average in Manchester is 25,077, in Oldham 21,926, in Blackburn 23,692, and in Preston 26,101; presenting an average for these four towns of 24,199 as against 18,041 for all England. Strange to say, the average deaths of children in the four mixed districts were 13,911 against 24,199 in the four purely manufacturing towns. Now, with regard to the deaths of children under five years of age, I find that the average per 100,000 living was in England 6,830, that the average of the four mixed districts in Lancashire was 5,029, and that the average of the four manufacturing towns I have mentioned was 9,800. Now, I say that that tells a tale which the House cannot shut its ears to. But there is another branch of this subject to which I must call the attention of the House, and that is the increased mortality in a particular district in Lancashire through a process which is technically known as "sizing." Three or four years ago the attention of the Local Government Board was called to the large increase of the death rate in the district of Todmorden, and they sent down Dr. Buchanan to inquire into the matter, who reported that "there would appear to be a great and growing excess of lung diseases in Todmorden." Now, what is the cause of this lung disease? It is the adulteration of the warp of the cloth; and Dr. Buchanan says—

"The composition of the size, and the proportion of its ingredients, vary in different factories and with different sizars, and the minuter processes, upon which depends the ability to get the greatest amount of size upon the warps, are frequently trade secrets with particular sizars. In general terms, however, the practice of sizing at Todmorden, for the kinds of cloth that are made there, consists in putting on to the warps from 50 to 90 per cent of 'size,' one-third of which consists of China clay."

I am sorry to say that, if our cotton industry suffers—and I am afraid it will suffer, I believe it will be more from this sizing than from almost any other cause. The subject has been discussed in the Manchester Chamber of Commerce, and again and again it has been protested against as bringing the English merchant a bad name wherever these cloths go, whether to India, China, or any other part of the world. In order to fix the size, jets of steam have to be

let into the room; the people work in an atmosphere of steam, and inhale a quantity of particles from the sizing which has a bad effect upon the chest and lungs, and the general result is a large increase of the death rate from lung disease. Dr. Buchanan bears testimony to this in his Report, to which hon. Members can refer for themselves, and from which they will find that the increase of lung disease is steadily going on in that part of Lancashire where "sizing" is extensively used. I must now—with the leave of the House—refer to the state of the flax trade; an hon. Gentleman (Mr. Dickson), who is connected with that trade having given Notice of a Motion to get rid of the Bill on its second reading. Now, what is the condition of the flax trade? Let me call the hon. Member's attention to the Report of the two Inspectors, who speak very badly indeed of that trade. They say in that Report—

"We were told by a deputation of working men at Belfast, that their children frequently fainted from the heat of the spinning room; and this statement was confirmed by an independent and credible witness, and is, we believe, true. Another effect of the heat can easily be seen on the skin of the arms of the young children employed as doffers. A very large proportion of them have their arms covered with an eruption (technically known as lichen) analogous to the 'prickly heat so common in the tropics.' There prevails also in the flax spinning a peculiar form of fever, which almost always attacks those who for the first time commence working in flax mills, and which is called 'mill fever' by the workpeople themselves."

Then Dr. Purdon speaks of it thus:—he is the certifying surgeon at Belfast, and says—

"The flax manufacturing operatives suffer far more from phthisis, &c. than the other two classes"—artizan and labouring, and gentry and mercantile—"nearly three-fifths of those that die annually being taken off by diseases of the respiratory organs, while in the other two classes the average amounts to about two-fifths; and in carrying our investigation into the fatality of the different branches of the manufacture, we see that the death-rate among those employed in the preparing-rooms is exceedingly high—being 31 per 1,000."

What is his recommendation with regard to the flax trade? He goes fully into it. I have not read the worst part of it. He says—

"1. That no half-timers be allowed to work before they are 10 years of age. 2. That no half-timers, and no child under 15 years be employed in the unhealthy processes. 3. A thorough system of ventilation should be carried out. 4. The wearing of the 'Baker Respirator' made compulsory."

He also says—

"To lessen as much as possible the deaths among children, no mother should be allowed to work within two months from the birth of a child."

That view is confirmed by Messrs. Holmes and Brydges. It is further confirmed by Mr. Daniel Walker, the Government Inspector in his last Report, who says—

"In some of those mills I have seen the thermometer at nearly 90 degrees, the rooms filled with steam, and the floors flooded with water thrown from the spindles, while the clothes of the workpeople, principally women, were completely saturated, caused by the condensed steam."

Well, Sir, I think I have said enough to make it obvious that children of eight years of age cannot pursue this kind of occupation and grow up to be strong men and women. They become stunted in their bodies and stunted in their minds, and develop into very poor men and women. Surely, then, as guardians of the interests of the country, this House ought to take care to do what it can to ensure the continuance of a healthy race of people. Remember that the area of culturable land is being more and more circumscribed every year. The extension of our towns, the development of mining and railway enterprise, are constantly trenching on the land, which is every year being cultivated with fewer and fewer hands; and the probability is, that the decrease of the agricultural population will be much greater in the next, than it has been in the past 10 years. How, then, are we to maintain the vigour of our population if we continue to allow these young children to go into the mills? Why should we be behind the Germans and Swiss, who have gone so far beyond us? In Basle and Zurich no child is allowed to be employed in a silk mill until he has reached the age of 12 years. I propose by my Bill 10 years. In Germany they have long raised the age to 12 years, and both in Germany and Switzerland the child has to pass a standard of education much higher than our Sixth Standard. I should like the hon. Member for Dungannon (Mr. Dickson) to know that I this morning received a letter from a large flax spinner at Coleraine, in which is the following passage—

"To-day I received a copy of a Bill to amend the Factory Acts; and so far from disapproving of it, I consider that, with the alteration of

eight hours in the winter and 10 in the summer, it would be a great advantage to us all. The hours on cold winter mornings are too much for delicate women and children, who are the majority of hands employed in flax-spinning."

That letter is signed "Lawrence, Brothers, Coleraine." As bearing upon the health of Lancashire, a remarkable statement is made by Messrs. Brydges and Holmes with respect to what was observed during the Cotton Famine. It is to this effect—that when the people of Lancashire had to contend with the Cotton Famine, and had to subsist on the barest necessities of life, the death-rate fell enormously, and my right hon. Friend the Member for the University of Edinburgh (Mr. Lyon Playfair) made a Report 20 years ago in which he showed that when trade was bad infant mortality fell materially, and that in good times the rate of mortality rose again. I wish now to direct the attention of the House and of the right hon. Gentleman the Home Secretary to the subject of half-time education. On the question of education it is much easier to arrive at results on which all can agree than on that of health. The Education Aid Society of Manchester, of which my hon. Friend near me (Sir Thomas Bazley) was the President, made a Report in 1868-9, on the subject of half-time education, and this is their Report—

"Factory schools," they say, "have been less efficient than is generally supposed. The following statistics of a sewing school, supported by the Provident Society in Manchester during the late cotton crisis, will create little surprise. The number of young women from 16 to 23 years of age that passed through the sewing school was 963. Only 199 could read and write. There can be no doubt the great proportion of these young women had been scholars in factory schools."

That paper is signed by Mr. Bremner, of Manchester, and by Mr. Mayson, the honorary Secretaries. But they make still more frightful revelations than that about the state of education. Well, in 1868 and 1869, before the Elementary Education Act was debated in this House, I took some pains to satisfy myself with regard to the education of the industrial population. With that view, I examined my own mill, and got some of my friends to examine theirs; sending the forms, in which the results were to be recorded, to Manchester, Stockport, and other places. Now, there is one town which always stood in an eminent position for its educational advantages, and no town

has ever made such educational provision as Stockport. When, therefore, the Education Act came into operation, Stockport had an excess of school accommodation: it had the best Sunday schools in the country; it had capital night schools, and a wonderful supply of day schools. I wrote to a friend there, and asked him to be good enough to test the educational condition of his children, and this is what he wrote to me in reply. It is dated the 2nd of December, 1869, and he says—

"We employ 154 children and young persons, and we classify them as follows:—95 half-timers; 55 full-timers; 30 cannot write; 18 write wretchedly; 6 only moderately; 45 cannot do the simplest sum in arithmetic; 109 can do the first and second rules; 14 cannot read a line; 100 can read but very poorly; and 40 only can read well. The religious knowledge of those who attend Sunday school is moderate; but their general knowledge is very poor indeed. It is, in fact, as a general rule, gross ignorance; and I find it generally admitted that the half-time education is most defective."

He further says—

"The certifying surgeons in this district say that of 2,000 children who passed as half-timers, not 400 could read decently."

That was Stockport before the Education Act! I certainly did expect, when the measure of my right hon. Friend (Mr. W. E. Forster) came into operation, that Stockport would have presented a very different result; for it was the first town to take the matter in hand. It established a school board immediately. It had no new school-houses to build, and it put the compulsory clauses of the Act into operation at once. Now, I have something more to say about Stockport which tells a bad tale. The first thing which struck me when I obtained the statistics was the remarkable disproportion in the ages of the children. It appeared that the number of children attending efficient schools was 7,862. Of these 1,013 were 9 years of age; 866 10 years; 706 11 years; and only 457, 12 years. Now, how was it that there were 1,013 children 9 years of age, and only 457 at 12 years of age? They ought to have been at school. The result of my inquiry was that I found that children are worked in that town under 8 years of age, and are passed as full-timers long before they reach the age of 13. In truth, the Factory Acts are broken. I make this statement, not from my own

knowledge, or upon my own responsibility; I make it upon the responsibility of the school board of Stockport, and the Chairman of that Board is himself a large cotton spinner. They themselves were so struck with these facts that they instituted an inquiry as to what the reason could be for the half-timers being in such a bad educational condition; and they ascertained that of the 7,862 children, only 41 had reached the Sixth Standard, which was positively a decrease. That was in the month of October, 1873. On the 5th of February this year, and the Report is signed by Mr. Smethurst, the Clerk to the Board, they state that there are in Stockport 2,524 half-timers, of whom 1,712, or nearly 68 per cent, had not reached Standard II, while 108 were under 8 years of age. I should like to call attention to the way in which the ages go up. At 8 years there are 269, at 9 years 603, at 10 years 560, at 11 years 557, and at 12 years 402, where there ought to be at least 600. The conclusion of the Board is that the Factory and Workshops Acts are being regularly violated in Stockport. They say that nearly 68 per cent of the half-timers of Stockport have not reached Standard II of the Education Code. That being the case, what chance is there of educating this class of children if we are to trust only to the present factory system and the present half-time system? Well, I at once wrote again to my friend, and asked—"How do you account for their absence from school?" My friend writes me as follows—

"The reason assigned by the Chairman for so few being found at school is as follows:—That many such children are passed by the certifying surgeon because they have the appearance of being 13 years of age. The chairman is a mill-owner. I expressed doubt of the correctness of his opinion, but he assured me they were the facts of many such cases."

Singularly enough, when my Bill was coming on for second reading, the Teachers' Association of Stockport wrote to me. They say they want to raise the age to 10 years. They say further—

"They know that children are passed between 11 and 13 as over 13. The question with the Factory Surgeon is, as the Factory Act puts it—have they the appearance of 13?"

I have other letters to the same effect, some from clergymen in Lancashire, which I shall be happy to place in the

hands of the right hon. Gentleman the Home Secretary. I think I have now said almost enough about the education question. Mr. Steele reports the same thing of Preston. He says—

"Throughout the whole of Preston, which has an average attendance of more than 11,000, I do not think that 100 children have been presented this year in the Sixth Standard."

Mr. Kennedy reports just as badly of Oldham, and Mr. Smith, the Government Inspector of Schools for the county of Chester, says that the children are passed too early, and he makes four suggestions which I think are well worthy the attention of the Government. The first is, that no child should be employed in factory labour until the age of 10 years; second, that the Registrar's certificate should accompany the child at his work; third, that no child should be employed without having a school-master's certificate that he has passed Second Standard, New Code; and, fourth, no child should be employed without a certificate of health and capacity for work from the visiting surgeon. Now, as to young persons and women, I have told the House that there are 574,000 females engaged in textile manufactures who are above the age of 13 years. The House has heard about flax spinning and cotton spinning, and I ask the House, as a large proportion of these females are between 13 and 18 years of age, whether that is not the most critical period in the life of a woman, and whether a strain put upon them between those ages is not likely to result—indeed, I am flooded with letters to the effect—in phthisis, in indigestion, in pulmonary diseases of various kinds, and in a great deal of uterine disease. I need say no more, however, upon that subject. But it has been attributed to me that I desire to place mothers in the position of half-timers. There is nothing of that kind in my Bill, and I never contemplated any such thing. Indeed, if anybody had proposed it, I should have been one of its strongest opponents. Any one who knows anything of the internal economy of a cotton mill, and the habits of the work-people, would know better than to make maternity a disqualification for employment. Nothing but temptation, vice, and crime would result from such a qualification; but when women, after being delivered of children, return to the mill



at the end of three days, surely something ought to be done in order to prevent the danger and the indecency of their so doing. I should be the last, however, to prevent married women from being employed in the mills. A good deal has been said about the jealousy of female labour on the part of the men. But I ask any man in the House, who has experience as an employer of factory labour, whether he can take upon himself to say that the men wish to turn the women out of the mills. Why, Sir, it is an absurdity upon the face of it. The fact is that employers like to encourage the employment of entire families, and for a husband to desire to turn his wife out of the mill, or a brother to turn out his sister, is really too absurd to be regarded with complacency. I have known, it is true, a few cases where men have endeavoured to limit the labour of women. I have always stood out against it. But, Sir, it is not the working classes who have any jealousy of the employment of women. There is much less of that feeling among them than among the professional classes. The difficulty on that subject is to be found among the doctors and the learned professions. It is they who will not endure to see women in competition with them. And I repeat that it has never entered into the heads of the factory workers of Lancashire and Yorkshire to turn women out of the mills. Sir, if this Bill of mine becomes law, one result will be increased employment for women. The children will be two years older before entering the mill, and one year longer half timers. The work which now falls upon children will fall upon the older girls, and that of the girls will fall upon the women. I should be sorry to do anything that would have the effect of decreasing female employment. I would much rather increase it. There are too many avenues of employment barred to women that ought to be open to them, and I trust that the time is not distant when the common sense of men will open those avenues to them. When I am told that women need no protection, I answer that I, for one, will never be a party to any measure that would take women from under the protection of the Factory Acts. And if it is done, the responsibility for it must rest upon this House and upon the Government, not upon me. Then I am

told that this Bill will have the indirect effect of restricting adult labour. Why, all factory legislation has had the same effect. If you take the adult women out of the Bill it would have the same effect in almost all the large mills; and if you protect the children and young persons and reduce the hours of labour for the women you reduce the hours of the men. I come now to the last point with respect to which I have to trouble the House; that is, the dread of foreign competition. Let me refer the House, though I fear I have already detained it very long, certainly much longer than I had intended, to the statistics of the exports and imports of this country in cotton goods. If I take the five years from 1849 to 1853, both inclusive, I find that we exported in that period cotton goods to the value of £114,500,000, and in the five years ranging from 1866 to 1870 £280,000,000, being an increase in the exports of cotton manufactures amounting to £103,500,000, or 144 per cent. I will now take the cotton goods that were imported in those same periods; and every hon. Member knows that England is a market where no favour or affection is shown for any manufacture. In fact this country is the depôt market for the world's manufactures. Everything comes here that is to be sold cheap. If the Belgian or the Frenchman has too much stock, it is to England that he sends it, and we distribute it over the whole world. What then, was the amount of our imports as against these enormous exports in these quinquennial periods? During the first five years from 1849 to 1853, they were of the value of £3,500,000, and in the second five years from 1866 to 1870 they were £5,900,000; as against £114,500,000 and £280,000,000 respectively. Well, that I think does not look as if we were going to lose our cotton trade at present. Mr. Hugh Mason discussed this question at the Manchester Chamber of Commerce, and this is what he said:—

“For many years past they had never been assembled at the annual meeting of that chamber, without an attempt being made to frighten them with the bugbear of foreign competition in the cotton trade. He read in *The Times* a few days ago the startling fact, based upon official statistical returns, that about the year 1850, the export from this country of cotton cloth attained, for the first time, the amount of 1,000,000,000 yards; in 1860, the export of cotton cloth, for the first time, attained the amount of 2,000,000,000 yards; and in the year 1870, just passed, the

export of manufactured cotton goods from this country attained, for the first time, the amount of 3,000,000,000 yards. So that, notwithstanding the facilities for many years enjoyed by the foreign cotton spinners, of buying in this country the very best machinery that can be made, and the facilities which countries like Belgium, with seaports, enjoyed equally with ourselves, for the free and cheap import of the raw material—notwithstanding the advance of the rates of wages of the operatives employed in our factories—and notwithstanding the considerable diminution in the hours of labour that had taken place during the two decades to which he had referred, the fact remained, that we had almost undisputed possession of the home trade, and our foreign trade had increased from 1,000,000,000 yards to 3,000,000,000 yards.”

My hon. Friend (Sir Thomas Bazley) said something last year about Russia, India, Switzerland, and Belgium. Now, with regard to Russia, I hold in my hand a Report of Mr. Redgrave on the Russian cotton trade, from which I gather that he finds—and this is my own experience everywhere—that the cheaper the people work, the longer hours they work, and the more wretchedly they live, the more easy it is to compete with them in the markets of the world. It is a singular fact; but it seems to be in the inverse ratio, and that cheap labour, as it is called, is the dearest in the long run.

“In Russia,” says Mr. Redgrave, “the factories work night and day—150 hours a-week—there being two sets of workers, each working 75 hours per week. Taking the year round, they do not produce more than an English mill working 60 hours a-week.”

This implies that the conditions are such as to make it impossible for Russia to compete with us unless she places a heavy embargo upon British manufactures. There is not a neutral market in the world to which England sends a bale of cotton cloth where any other manufacturer could live. No foreign country sends cotton goods to India. There is no competition there. But the Germans and the Swiss are doing this. They are cultivating the intelligence of their people, and developing their taste. The result is, that there is a great increase of enterprise among the German and Swiss merchants, who are now interfering with our trade in the Straits, in South America, and in the other markets of England for fancy articles. It is said that the trade follows the flag. I believe that the trade follows the man: the man who has enterprise, the man who has intelligence, the man who has a knowledge of languages—that is the man who is successful. Switzerland has made

her silk trade what it is by that means. Next, there is that bugbear of India. India, we are told, is beginning to manufacture her own cloths, and I saw by a newspaper which I took up the other day that a deputation from the Factory Employers' Association, at Manchester, had recently gone to the Marquess of Salisbury about the Cotton Supply of India. Now, I am bound to give the gentlemen who oppose my Bill the credit of being the most energetic and persevering men that I know. For the most part they are rich Manchester men. They opposed Lord Ashley: they opposed the late Mr. Fielden: the same men have opposed everybody else who has taken up the factory question, and at last they are opposing me. These men, however, did good service in their way during the agitation for the repeal of the Corn Laws. They have been good and useful men in many respects. They know how to manage the Press, and keep up an agitation. But they remind me of nothing so much as a stage army, where the contending hosts are represented by a dozen or two men who are constantly passing in front and behind the scenes, and by a rapid and judicious change of helmets and uniforms are ever appearing as a new force. So with these gentlemen. They came before us first as individual employers; then as a federation of employers; next, as the Chamber of Commerce; and now as the Factory Employers' Association. But the same gentlemen play the same leading characters, and form the *dramatis persona* in all the principal parts. Well, the other day they went to the Marquess of Salisbury about India. At that interview Mr. Ashworth said—

“What was manufactured in India made little difference in the calculation. Of late years labour had been found to be worth more in agriculture than hand-loom work. The few mills that existed in Bombay were of doubtful tenure, and not very profitable, nor were they so large as to affect the magnitude of the trade in this country.”

Well, I do not want any better evidence respecting the competition in the cotton trade of India than the evidence of Mr. Ashworth. Then, with regard to Switzerland, I find that they do not in some Cantons send their children to the mills before the age of 14, that they are increasing their wages enormously, and at the same time

are reducing the hours of work. But what do they owe their position to? The answer is—to their water power, cheap labour, and unrestricted hours. To which I am inclined to rejoin with Mr. Burchell in Goldsmith's novel, "Fudge!" For what really makes the Swiss manufactures successful is that the workpeople are an educated people, and that the trade is depending on the intelligence of the people. I asked a large employer of labour in Switzerland the other day what was the cause of their being able to take away the ribbon manufacture from the French; and his reply was—"We beat them by an educated people." Now, that is the secret upon which we shall have to rely for the continued success of our industry as a nation. As to France, her population is declining both in numbers and *physique*. There has been an inquiry in France on the subject of the state of the industrial population, and the Commission which conducted it report that, whereas, to obtain 10,000 conscripts fit to bear arms, in 10 agricultural departments, 4,029 have to be rejected on account of physical defects, in the Marne, the Seine Inférieure, and l'Eure, the proportion rejected is 14,451. This result the French Commissioners attribute to the overworking of their women and of their children in early years. I come now to the last country on the Continent—and if any country can stand against us in manufacturing competition, this can; I refer to Belgium. Belgium has a fine geographical position, a splendid seaboard, good harbours, and great natural resources; coal and iron side by side; a most industrious population, a people never weary of work; and a complete and cheap railway system: if any country could compete with us, it is Belgium. Not only does Belgium possess these advantages, but she also works her children from eight years of age, and nobody could get out of human nature more labour than the Belgians get out of their women. And what is the result? Here is the Report of Mr. Kennedy, in reply to an application from Mr. Ashworth, and the Treasurer and Secretary of the Factory Occupiers' Association. He says—

"The factory operatives here live wretchedly; their chief food consists of potatoes and dry bread. They inhabit small huts, many of them

unfloored, and sleep on sacks filled with straw, with a sort of blanket made of coarse tow for bed-covering. . . . All mill hands wear blouses and wooden shoes."

Then what does he say about the children? Speaking of Alost, Ninove, and Termonde, he reports—

"In these three places, and in the smaller factories abounding in this part of Flanders, the proportion of children employed is very large, and has a marked effect, both physical and moral, on the people."

The reporter, in giving a *resumé* of the condition of the Belgian operatives, says—

"The state of the labour question in Belgium shows that it has been exhaustively discussed by all competent authorities throughout the country, and that no solution of the difficulty has yet been found. It can be stated that the opinions of the Chambers of Commerce, always excepting those of Liege and Verviers—which, undoubtedly, represented the most prosperous and intelligent industrial districts in Belgium—of all the learned and philanthropical societies, of the public generally, and of the occupiers of large factories, are in favour of a law regulating the labour of women and children in factories and mines. All equally deplore the increasing moral and physical degeneracy of the working classes, which they attribute to the premature employment of children, and to the consequent absence of instruction. At the last census, in 1866, out of a total population of 4,839,000, more than one half, 2,548,742 were returned as being unable either to read or write."

I ask, then, is England to cede her commercial and manufacturing superiority to a degraded, ignorant, and degenerate race like this? Who are the men who are engaged in promoting this Bill, which is supposed will be the ruin of the manufacturing industry of the country? Some of the greatest captains of industry in the country are supporters of the Bill. Are they the men who would ruin trade and commerce? Nineteen-twentieths of all I possess is invested in English industry. The hon. Gentleman opposite, one of the Members for Manchester, comes to give it his support. The hon. Member for Bury, too, has been one of my strongest supporters. My hon. Friend the Member for Burnley, my hon. Friend the Member for Bristol, my hon. Friend the Member for Preston, my hon. Friend the Member for the East Riding, my right hon. Friend the Member for Bradford, and my right hon. Friend the Member for Montrose—the men who are the very leaders and captains of the industry of this country—are all of them supporters

Mr. Mundella

of this Bill. And are these the men who would ruin the industry of the country? Do the manufacturers fear these? And why do they now wish to delay by asking for inquiry? I trust that the right hon. Gentleman the Home Secretary will deal frankly with us. I believe he will, for it was said to me this morning by a Member of the House, who is a large manufacturer, that the people who petitioned for this extension of the Factory Acts had been patient for three years, that we had quieted their demands by telling them that legislation was about to take place, but that if the Bill were lost to-day, we should have to encounter some difficulties in the manufacturing districts of the country. I hope not, because in no class have the relations betwixt employers and employed been more amicable than in that engaged in textile manufactures. But who are they who indulge in these vaticinations of ruin? Is not my hon. Friend beside me (Sir Thomas Bazley) a living refutation of his own arguments? Have not the manufacturers grown both in influence and wealth? Are not many of them rich beyond the dreams of avarice? Are they not entering this House in ever-increasing numbers, and are they not purchasing landed estates everywhere, over the heads of county families? I trust, then, that the House will consider the Bill upon its own merits. I believe that whatever they sacrifice in order to obtain education, intelligence and decent lives for the workpeople will be amply compensated for by better work and better service. The right hon. Gentleman the present First Minister of the Crown has on more than one occasion during the last two or three years spoken in favourable terms of the principle of this Bill. The right hon. Gentleman said with truth that the Conservative party had always been the friend of the toilers, and had assisted in reducing the hours of labour, and that he was personally favourable to every measure that was calculated to humanize the toil of the people. I trust that the right hon. Gentleman will not blight the hopes which have been excited by his speech at Glasgow, when he told a deputation of working men that, without pledging himself to anything, he was favourable to their cause. The right hon. Gentleman also told them that he

had communicated with many large employers of labour and was acquainted with their views, and that the result of his deliberation and researches was, on the whole, favourable to the views which the deputation had upheld. Trusting that the House will not by its vote disappoint the expectations raised by the speeches of the right hon. Gentleman, I will add that in bringing forward this Bill, I am only advocating the cause of the class from which I myself have sprung, and to which I owe everything I possess in the world. It only remains for me to move that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Mundella*.)

SIR THOMAS BAZLEY, in moving as an Amendment, to leave out from the word "That" to the end of the Question, in order to add the words—

"legislation upon interests so vast and important as are involved in the question of diminishing the hours of labour in Factories and of further restricting the capital of the employers, ought to originate with the Government rather than with a private Member, and with the previous inquiry of a Committee or Commission to report upon the merits of a question of such magnitude, to guide the House and the Government in determining whether any and what Amendments are needed,"

said, that the speech of the hon. Member for Sheffield (*Mr. Mundella*) had proved the necessity for further consideration and inquiry, before the House, at the invitation of a private Member, entered upon legislation so important. He acquitted the hon. Member of any intentional inaccuracy, but the hon. Member had shown that the House was at present entirely dependent upon private sources of information, and ought not to legislate, except upon recorded evidence submitted to the House by means of the Committee he (*Sir Thomas Bazley*) asked for in the Amendment. Some stress had been laid upon the inquiries conducted by *Dr. Bridges* and *Mr. Holmes* on the physical condition of the young persons employed in factories. The disinclination of those gentlemen, however, to hear the whole truth was shown by the fact, that while they first heard the evidence in particular districts of the Short Time Committee, they declined to listen to the remarks tendered by several intelligent employers



of labour. That refusal amounted to a suppression of truth. It was clear that it was a subject on which there were many differences of opinion, even amongst the working classes themselves. The women, for whom the legislation under notice was mainly intended, had never been consulted about it, and they certainly ought to, before a step so important as that proposed was taken by Parliament. In fact, the women had volunteered some remarkable evidence as to their own ability to endure the labour imposed upon them in cotton factories, and they endeavoured to obtain an interview with the Home Secretary on the subject, but, whether from want of gallantry he knew not, the right hon. Gentleman declined to receive the deputation. They, however, presented an interesting memorial to him, in which they argued that the proposed legislation was needless for its alleged purpose of protecting the health of the women, inasmuch as it was a notorious fact that the women employed in factories were as strong and robust as the women of the rich and idle classes. That, he thought, entirely disproved the assertion of the hon. Member as to the deplorable condition of our women and children. The fact was that the hon. Member had dealt with the sensational aspects of the case, and by so doing, had thoroughly justified the appointment of an inquiry into the matter. The hon. Member stated that the hours of work were 10 and 11 on the Continent, but he (Sir Thomas Bazley) asserted that they were generally 12 hours a-day. In Russia they were even longer. He could say from his own knowledge, that we had once an immense market for various fabrics in Russia; but for many years we had not been exporters to that country, except to an inconsiderable extent. The hon. Member said that no goods came from Belgium to invade our markets; but he could tell him that there was a large exportation of Belgian manufactures, and that we had a large trade indirectly with Belgium. In France there had been a rapid increase of manufactures, and when the Commercial Treaty was made with England the late Emperor made large advances to spinners to enable them to compete with their English rivals. The hon. Member spoke with something like contempt of foreign competition, but one of the most

important improvements in a certain branch of manufactures was not invented here, but in France. The French artists were quite equal to our own, and English manufacturers had great difficulty in holding their own against foreign competition. The hon. Member had read an extract from the speech of the Prime Minister at Glasgow to justify his belief in the sympathy and agreement that existed between the right hon. Gentleman and the Short Time Committee. He (Sir Thomas Bazley) also had read the right hon. Gentleman's speech at Glasgow, and he admired his wisdom and prudence in saying that "the rights of labour cannot be fully enjoyed if there be any limit to employment." The object of the present Bill, however, was expressly to limit employment, and it was for the House to determine to what extent that limitation ought to be carried. The effect of the Bill also would be that while it diminished the hours it would increase the price of labour, which would be extremely prejudicial to commerce. It was said that the present Acts were evaded, but, if so, by all means let us have such an administration of the law as would prevent the continuance of those abuses; but that was exceptional legislation founded upon communications made to his hon. Friend by interested parties. He would admit that the present law was one of the most beneficial ever passed; but, as foreign competition was rapidly pressing upon us, he exhorted the House to take time to consider the question before it extended the present Acts. He hoped Her Majesty's Government would take a policy of their own, and not give way to the request of those who sought to limit labour, and so create influences hurtful to the commercial interests of Great Britain. To show the importance of the interests concerned, he might state that the capital invested in the industries which would be affected by the proposed legislation was computed to amount to something like £200,000,000 sterling, and if the Bill passed, much of the machinery in our factories would be reduced in value to a considerable extent, a result which could be nothing but disastrous to our manufacturers. The practical working of such a Bill, too, would be equally injurious to the agricultural and the commercial interests. The hon. Member pro-

*Sir Thomas Bazley*

posed a reduction of six hours a-week, or about one-tenth of the present hours of labour. The first result would be to reduce the consumption of raw material by 10 per cent, and to reduce the demand for sheep's wool to even a greater extent. Were the agricultural interest prepared, without further inquiry, to allow the value of their property to be brought down by legislation of that kind? The Bill would not only be disastrous to growers of wool, but would affect injuriously the prices of silk, jute, and flax. He doubted whether it would be possible to retrieve the damage which such a measure would inflict upon our foreign trade. Instead of such unreal philanthropy, the House ought to endeavour to improve the homes and comforts of the people, and teach them better to employ the leisure they now had. Besides foreign competition in manufactures, which was very serious, our exports of machinery and metals to Belgium, America, and other places, were rapidly increasing. Last year we exported £10,000,000 worth of steam engines and other machinery, together with raw metals to the value of £41,000,000, and at the present moment the principal English machine manufacturers were mainly occupied in executing orders for foreign exportation, and not for the increase of trade at home. Operatives were frequently engaged to accompany the machinery so exported. They had to work from 12 to 14 hours a-day; but as soon as the machinery was started they were dismissed, and they returned to England to complain of the long hours of labour in foreign countries. In conclusion, he must say that having destroyed the Corn Law monopoly, the House should be very careful of setting up another, and especially one so injurious as a monopoly of labour, and he trusted that the House would do nothing without due investigation to determine whether his hon. Friend or himself was right. The hon. Member concluded by moving the Amendment of which he had given Notice.

MR. CROSSLEY said, that he addressed the House with the diffidence natural to a Member who claimed its attention for the first time; but his apology for rising was, that he might claim to know something of the subject before the House. He had been long connected with the mercantile and manu-

facturing interests of this country. When he was about 12 years of age his father, finding that he was not making much progress at school, thought it would be a good thing to put him in his factory for 12 months. He accordingly took his part in the factory work much as the other boys did. The factory bell rang out boldly at half-past 5 every morning, and all were expected to be in the mill and at work by 6 o'clock. They were kept hard at it until 8 at night, with the exception of an hour for meals. That was a state of things not at all to be desired, and it was a long time before any legislation for shortening and regulating factory hours brought that system to an end. A considerable number of large employers had voluntarily reduced the hours of labour, but some refused to join in this movement. At length the Legislature interfered, and the first Factory Act was passed. The manufacturers of that day were very much alarmed, but those who survived had lived long enough to recognize the advantage of that legislation. He, for one, was there to confess that the working of the Ten Hour system had been wise and provident, and had conferred great benefits upon the country. In the first place, it insisted on all the manufacturers being put on the same footing; whereas, before the Act was passed those who humanely and voluntarily reduced their working hours to 10 were placed at a great disadvantage with those who continued working for 12 hours. Another great advantage was in enabling the children to be educated, and obliging the "half-timers" to be at school for a certain period of the day. Having said thus much, it was now his business to try and show the House that no case had been made out for further interference. He was authorized to state, as the result of actual inquiry, that 19-20ths of the worsted trade were decidedly opposed to any further legislation, unless the Act were extended to other trades, and some trifling modifications were made in the age of the juvenile workers. From an intimate knowledge of the worsted, cotton, linen, woollen, and silk trades, he could state that not one of them could now be regarded as in a satisfactory condition. Those who were engaged in these trades felt that they had quite enough on their hands without the addition of any further burden,

such as would be imposed by this Bill. The woollen trade was now suffering from a re-action caused by the extraordinary and artificial demand created by the German War. The manufacturing establishment with which he was connected gave employment to upwards of 6,000 people, who worked 59 hours, and he was not aware that any portion of that large number of people or of the factory hands of the district had made the least move in favour of this Bill, or had shown that they were dissatisfied with the present state of things. Indeed, they were only too thankful to be as well off as they were, seeing that only a very few miles from them the mills were only working half-time. If the House would permit him, he would refer to a matter which, although not exactly in point, was a subject of pride to himself—namely, that, notwithstanding his firm employed this large number of people, they had not had a strike or a serious misunderstanding among them for the last 36 years. That harmonious feeling between his firm and their workpeople had been brought about by its being distinctly understood in the establishment, that when the hands believed they had a grievance, the employers were only too glad to remedy it, if it were possible; or took pains to satisfy the workpeople that they had no case, if it did not really exist. Another point of interest was that for the last 25 years his firm had exported half of their production to the United States, notwithstanding that the duty charged on their goods by that country amounted to 35 per cent on the value. During and since the American War that duty had been raised to 75 per cent on the value, and it would probably surprise the House to learn that, notwithstanding this almost prohibitory duty, they were still able to send a tolerable quantity of goods to that country. The American manufacturers, however, who had enjoyed this enormous advantage for so long, and who had realized such large profits, were beginning to extend their work to such an extent that one particular branch of his firm's trade with America had ceased to exist. With regard to that particular branch of the trade, the duties imposed by the United States were absolutely prohibitory. There were two other facts to which he was particularly anxious to call the attention of the Com-

mittee. Formerly in his district there existed a large woollen yarn trade, which supplied yarns to the manufacturers of fancy goods at Glasgow and other parts of Scotland; but that trade had now become unprofitable in consequence of Belgium having entered into competition with it, and having succeeded in transferring the whole of the trade in the article to itself. The figures were very remarkable. Belgium sent to this country of woollen yarn, in 1857, 500,000lbs.; in 1860, 1,500,000lbs.; in 1865, 3,000,000lbs.; and in 1870, 7,000,000lbs. In that country the spinners worked 72 hours per week, and at lower wages than were paid in this country. The French competed with this country both in yarn and in piece-goods. Where the amount of labour bestowed on the goods was trifling we could hold our own, but in the case of the finer classes of goods, where a considerable amount of labour and skill were required, we were simply nowhere. Whereas 20 years ago the Continental countries used to buy very small quantities of colonial wool in our London markets, they now purchased one-half of the whole quantity sold here. They could purchase the wool, take it abroad, spin it, and send it into the Bradford market as yarn, cheaper by 3*d.* or 4*d.* a pound than the Bradford manufacturers could afford to sell it. The result was that there were now no less than 20,000 looms idle in Bradford and the district. With regard to the flax manufacture, he did not think that there were any serious grounds of complaint against it if proper precautions were taken to secure the health of the hands. For his part, he did not see how we in this country were to withstand the work that was going on on the Continent, where the employers and employed were uncontrolled by legislation, everything being done by mutual arrangement. In conclusion, his objection to this Bill was that legislation on this subject had proceeded quite far enough, and ought not to be extended except in reference to matters of detail for the purpose of securing the health of the hands. The hon. Gentleman concluded by seconding the Amendment.

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words

*Mr. Crossley*

"legislation upon interests so vast and important as are involved in the question of diminishing the hours of labour in Factories and of further restricting the capital of the employers, ought to originate with Government rather than with a private Member, and with the previous inquiry of a Committee or Commission to report upon the merits of a question of such magnitude, to guide the House and the Government in determining whether any and what amendments are needed,"—(*Sir Thomas Bazley*),

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. CALLENDER said, that his hon. Colleague (*Sir Thomas Bazley*) had spoken of the Bill as exceptional legislation; but he (*Mr. Callender*) might remind the House that protection had been extended to female and infant labour in factories for the last 70 years. The measure might be supported on two grounds—the necessity for further legislation on the ground of public health, or failing the proof of such necessity, on the advisability of effecting a settlement of the question. The former and most important point had been fully argued by the hon. Member for Sheffield (*Mr. Mundella*); the Medical Commissioners pronounced in favour of a 54-hours Bill; and the long experience of *Mr. Baker* pointed in the same direction. But it was also expedient to settle the question, as for many years the tendency to shorten the hours of labour had become universal, and by means of trade organizations, nine hours had become recognized as a fair limit of a day's work in those great industries where adult male labour was alone employed. How could textile fabrics be exempted from that rule, and why should women, because they had not organized themselves into trade societies, be placed at a disadvantage? While he had no fear of trades unions, and believed their mistakes were far less important than the benefits they had conferred—such was not the opinion of many who opposed this Bill, and the course they were adopting would tend to create the agitation they wished to avoid. The attitude of the working classes should not be construed into indifference—legislation had in former times afforded them relief—its beneficial results were now universally recognized—and the working classes relying on the justice of their claims, and the Report of the Commissioners, had patiently

waited for the decision of the Legislature; but if the present Bill were rejected or postponed, he feared an agitation would arise, which was, in the interests of all concerned, much to be deprecated. The feeling of the working classes had expressed itself at the late General Election, when this measure excited a deeper interest than the alleged merits or shortcomings of the late Administration. Two objections were taken to the Bill—he desired to speak with all respect of the ladies who were responsible for a pamphlet just issued; but they had no practical acquaintance with manufactures. Their argument was, that by the proposed reduction of working hours, it would be either more profitable to employ unrestricted male labour, thereby throwing women out of employment, or that female wages must be reduced, and the means of honest living rendered more difficult. If a reduction of hours, from 10 to 9, would produce either of these results, why had it not done so when they were reduced from 12 to 10 in 1847? The Factory Returns of 1847 and 1870 showed the percentage of adult male labour was precisely the same at each period, and though female labour on the Continent was entirely unrestricted, it was much less made use of than in Great Britain. Comparing a week of 69 hours in 1849 with 60 hours in 1873, and making no allowance for reduced hours, which would tell still more strongly in favour of his argument, the wages of female workers had increased, varying from 58 to 77 per cent, while the wages of men had only advanced from 15 to 39 per cent. There was now too great a difference between the average wages paid to male and female workers to render it profitable to substitute one for the other, unless men could be induced to work 12 or 14 hours per day—an argument which no one acquainted with the labour market would venture to assert. A labourer or spadesman had not the education or mechanical training to perform the work of a skilled female operative, and the whole argument, based on an assumption of the equality of the sexes, could not be seriously maintained. Jealousy, on the part of the self-actor minders, had been alleged as the cause of this movement; but these men were compelled to have assistants—employing members of their own families, they could have no interest



in reducing the family earnings, while they had the strongest motive to obtain the improved health, comfort, and education which this Bill would secure. His hon. Colleague had spoken of foreign competition. Might not the argument against the Bill be thus stated? It would—

“Limit the labour of multitudes of men who are entitled to the unrestricted use of all means of obtaining an honest livelihood—place obstacles to the free employment of capital and machinery which may endanger the continued extension of British manufactures and industry, which will reduce the time of work in this country, and, consequently, the production of machinery and workmen far below that which is found to exist in foreign countries.”

Such, he apprehended, was the feeling of the opponents of the Bill, and the sentences just quoted formed the prayer of a Petition presented to the House in 1847, signed by 353 firms in Lancashire and Cheshire, employing one-third the total number of persons engaged in the cotton trade. How far had their apprehensions been verified? Comparing 1847 with 1873, he found that the consumption of cotton in Great Britain had increased from 58,441,121 lbs. to 1,246,149,910 lbs.; exports of cotton manufactures from £23,333,225 to £77,323,720, our producing power from 21,000,000 spindles to 34,000,000, and the number of persons employed from 331,000 to 450,000. It might be alleged that the aspect of commercial matters was changing; that foreign countries imported large quantities of machinery, and every invention tended to reduce the necessity for skilled labour. Let the House remember that when the cotton trade commenced to be the staple business of the country, Europe was involved in war, private property was unsafe, England alone afforded peace and security, which gave a stimulus to invention, while until the last 30 years, the exportation of machinery—except that used in preparatory processes—was strictly prohibited. With a happier state of foreign relations, and the removal of prohibitory duties which permitted that exportation of machinery of which his hon. Colleague complained, the Continental trade had largely developed, and it would not be surprising to find that the virtual monopoly which we had so long enjoyed could no longer be retained. But so far from Continental manufacturers being able to com-

pete against us in the open market, in every country except Switzerland our manufactures were liable to duties virtually prohibited, and these duties being imposed not for revenue, but for protection, any reduced cost of production in this country would be met by a corresponding increase of foreign tariffs. Russia had been cited as an instance where our productions were no longer required—the export of cotton yarn had fallen from 18,200,000 lbs. in 1845 to 1,700,000 lbs. in 1865. The highest number spun in that country was “60,” the value of which, in the Manchester market, did not exceed 1s. 4d. per lb., and was subject to a duty of nearly 4d. per lb.—a virtual prohibition. The hours worked in Russia were of extraordinary duration—one case being cited when, by a double shift of workers, 132 hours were made per week, yet in this case the production per spindle was barely more than that of an English mill working 60 hours. The systematic dishonesty and carelessness of the peasants were the source of constant and serious loss; irregularity of attendance necessitated the employment of an enormous number of supernumerary persons; and the cost of female labour varied from 8s. to 12s. per week. Taking these disadvantages into account, the balance of cheapness was largely in favour of this country, and doubtless accounted for the high duties imposed. The national advantages of Belgium, its extensive sea-board, the possession of coal and iron, and the industrial habits of its people, rendered it most fitted to compete against this country, yet we found high protective duties, keeping out cotton goods. Frequent holidays and lax discipline reduced the hours of nominal work to a level with our own. English workmen were reported to have “greater intelligence and mechanical knowledge,” and to be “far superior” to the Flemish; and the population of Ghent, the seat of the cotton trade, was steadily diminishing. Reference had been made to Belgian exports of cotton manufactures; but, in 1870, their total amount was barely £1,000,000 value, of which £200,000 came to this country. Reference had been made to Switzerland. Here, again, the workmen were “inferior to the British in physical strength, energy, and activity.” It required 8½ persons to perform the work done in

this country by 7; wages, though low, were rapidly advancing; the capital required was out of all proportion to that used in England; the cost of mills and machinery was double; export and import freights were enormous; coals dear, and of inferior quality; and the advantages of water power over-rated. Their true causes of prosperity consisted in the advanced education of the people, and the frugal habits of the manufacturer, who was content with profits which would not satisfy English manufacturers. Comparing our cotton exports to the Continent in 1860-73, we found in 1863, of cotton yarn, 111,500,000 lbs.; of goods, 258,100,000 yards; in 1870, 111,300,000 lbs., 449,200,000 yards; showing a large total increase. Our progress in manufacture had also, as shown by the following statement, kept pace with that of foreign nations:—Per-centage of total consumption of cotton in 1860 and 1873—Great Britain, 49·5, 48·6; Continent, 31·5, 30·8; while Continental manufacturers consumed a less per-centage of the total supply than was the case 30 years ago. Taking an average of five years, we found it, in 1826-30, 33·2; 1846-50, 28; 1856-60, 32·5; and 1873, 30·8. On behalf of a trade which employed £87,000,000 of capital, on the prosperity of which 4,500,000 persons were dependent, he asked the House to assent to the second reading of the Bill, as a satisfactory settlement of a most important question.

MR. W. HOLMS: In addressing this House for the first time, I venture to crave that indulgence which is usually given to a new Member. I most heartily concur in what has been said by the hon. Member for Sheffield (Mr. Mundella) with reference to the benefits which the working classes have derived from the existing Factory Acts, and I also concur with him in believing it to be very desirable that we should now have further legislation on the subject; but, notwithstanding the eloquent statement he has made, I am not prepared to look upon the present Bill as likely to be other than bad and mischievous in its actual operation. The question of regulating the hours of labour for children, young persons, and women is so closely connected with the social well-being of the working classes and the commercial prosperity of the country that it demands our most serious consideration, and yet

hitherto it has not been dealt with in a comprehensive measure. From time to time Acts of Parliament have been passed regulating certain branches of industry; but these Acts are so varied in their provisions, and so full of exceptions and modifications, as to make it extremely difficult to enforce the law. I find that there are now 13 Factory and Workshops Acts wholly or partially in force, and in order to show the effect the passing of this Bill is likely to produce, I shall, with the permission of the House, briefly refer to some of the anomalies which they contain. In 1844, and subsequently in 1850, Factory Acts were passed, based on the older Act of 1833. These Acts, which refer only to textile manufactures, define that a child is a boy or girl from 8 to 13 years of age, and that a young person is a person between 13 and 18; and they enact that such young person shall not work more than 60 hours per week, or 10½ hours per day. The Report of the Children's Employment Commission in 1862 disclosed such a state of things with reference to the physical and moral condition of young persons employed in certain trades that the Factory Act of 1864 was passed, embracing potteries, lucifer match making, and some other trades. Subsequent Reports of the same Commission induced the Government of the day to pass the Act of 1867. This year (1867) marks an epoch in the history of factory legislation. The Act referred to includes glass-works, iron furnaces, paper manufactories, letterpress printing, bookbinding, and other trades; and it, moreover, provides that all trades other than those mentioned in existing Acts, and having more than 50 people employed, shall come under its provisions. This Act contains numerous exceptions and modifications, some of which have a direct bearing on the question before the House. As regards glass-works, iron-foundries, printworks, dye-works, paper manufactories, and several other works, it is provided that if at the hour of closing the workers are engaged at a process which requires completion, they may work half-an-hour longer. Hence the Bill practically becomes a 63 hours' Bill; but by a further provision—modified in 1871—the people employed in those trades may obtain permission to work 96 days in the year for 12 hours a-day, which is equal on an average to nearly three

hours a-week, thus making the measure practically a 66 hours' Bill. Now, in this year of 1867, another Bill was passed—namely, the Workshops Act of 1867. It is the same as the Factory Act in so far that it enacts that the hours of labour shall be limited to 60 hours per week; but there is this difference—that whereas in the Factory Act the hours are required to be from 6 to 6, from 7 to 7, or from 8 to 8, under the Workshops Act, an employer may have people working at any hour from 5 in the morning till 9 at night. Besides, there are no fixed hours at which meals are to be taken. What is the consequence of this state of matters? When an Inspector visits a workshop, say at 9 in the evening, unless he can ascertain and prove the time at which the workers commenced their operations, and the length of time they have been employed, it is utterly impossible for him to enforce the provisions of this Act. Under this Act exemptions may be granted by the Home Secretary, to work 96 days in a year for 12 hours a-day, so that it becomes a 63 hours' Bill. Another feature in this Workshops Act—and a very important one—is that whereas under the Factory Acts the employer is obliged to give a certificate that the child employed is of a certain age, under the Workshops Act the onus of proof is thrown on the Inspector. Again, as regards education, what is the effect of the Workshops Act? Under the Factory Act a half-timer must be sent to school 12½ hours per week in winter, and 15 hours in summer. He must, moreover, be sent to school day by day; and if a child is present at work even one day in a week, a certificate must be given by the employer that he has attended school during the preceding week. Under the Workshops Act, if a child is absent from work even one day in a week no certificate is required. The consequence is that the Education Clause is frequently evaded. And what is the result? So far as England and Wales are concerned, the Elementary Education Act is over-ridden by the Factory and Workshops Act, and hence the Workshops Act of 1867 is in reality an Act for preventing education. Now, I desire to call the attention of the House to some more anomalies. I find a letter-press printing establishment, however many persons may be employed, is a

factory; whereas a lithographic establishment, if with less than 50 persons, is a workshop. These trades are frequently so intimately combined that it is difficult to say whether an establishment is a factory with its stringent regulations, or a workshop with its somewhat loose regulations. Again, there are works which, if more than 50 persons are employed, are factories; but if less than 50 are employed, become workshops. It is extremely difficult for working people to appreciate these distinctions, and to understand why the Inspector should go to one establishment and make all the people stop work at 6 o'clock, and that he should not go to another which must appear similarly situated. Another important point is, that in many of those branches of trade in which establishments where more than 50 persons are employed become factories, employers, rather than come under the restrictions of the Factory Act, do not employ women and young persons at all; and consequently the women and young persons are left to the establishments which are workshops. Having thus endeavoured to point out some of the anomalies under existing Acts, let me now ask the attention of the House to what will be the position of matters, so far as regards the hours of working, if it passes this Bill. First of all, you will have a Bill without any exceptions or modifications—that is to say, you will have a hard-and-fast line of 54 hours for all textile trades. Then those trades that are other than textile, and which are specially provided for by the Acts to which I have referred, will still be at liberty to work 63, or in some cases 66 hours. Lastly, you will have the Workshops Act, under which employers may work their people almost any number of hours they choose; while in some works there will be two distinct sets of hours. I know a large factory in which, if this Bill passed, there would be one portion where the people would work 54 hours, and another portion where they would be entitled to work 66 hours per week. And now, who are the people who would come under this Act? The total number of children, young persons, and women employed in factories and workshops is 1,258,000. Of that number, 667,000 would be embraced by the proposed Bill; but so far as the other 591,000 are concerned, they would be

allowed to work 63, 66, or an indefinite number of hours. I need scarcely point out that in the great centres of industry, such as Leeds, Bradford, Manchester, Dundee, and Glasgow, where there is a great demand for labour, and where there is a great variety of industries—no sooner will you render it illegal for children from eight to 10 to work in textile factories, than they will find their way to long hour factories or workshops. The consequence will be that this measure will become a measure for the further extension of the Act which I have already described as an Act for preventing education. The hon. Member for Sheffield has drawn a picture of the difference between manufacturing towns and rural districts. Will the House allow me to draw another? Take a town in the north—Glossop, where there is nothing but textile manufactures, and where the people, if this measure is passed, will not be allowed to work more than 54 hours. Hon. Gentlemen are well aware that there is a constant migration from country districts to manufacturing centres. Now, the nearest large town to Glossop is that so ably represented by the hon. Member (Sheffield). In Sheffield I find there are no textile manufactories whatever, but there are 5,586 women, and 6,689 young persons and children employed. Now, I venture to say—and I think the House will agree with me—that the rural population between Glossop and Sheffield would most probably gravitate to that town, where by working longer hours they may make higher wages, rather than to towns where there are only textile manufactories, and where the hours of labour are restricted. Yet we find that the employments at Sheffield are described as unhealthy by the medical officers, and the mortality is stated to be more than double the average of three agricultural districts that are used as standards for comparison. There, nevertheless, children begin working as early as 9, and even 8. What would be the practical effect of this Bill? You may depend on it, it would give every inducement to people to go to Sheffield in preference to places such as Glossop, where textile manufactures are carried on, and to be under the deleterious influence of the employments that are carried on in the former

town. What, I would ask, does the hon. Member propose to do with the work-people engaged in these trades? I would further ask on what grounds are we called upon to propose further restrictions on the hours of labour of adult women? It has not been alleged by the hon. Member that women are incapable of judging for themselves; and yet I know no other ground, except of a sanitary character, on which we can be called to legislate for women. No one will deny the right of a woman to sell that which is frequently all that she has got to sell—namely, her labour. If we look to the question of health, we are told that Dr. Bridges and Dr. Holms are in favour of some such measure as that proposed; but the hon. Member for Sheffield did not state that they put a certain question to a great number of experienced medical men, factory surgeons, &c. The question was—Is factory labour deleterious to health? What was the answer? 40 said yes, while 94 replied in the negative; therefore, I think the evidence as to the question of health is, at all events, conflicting. I take this opportunity of asking the hon. Member for Sheffield, if he has any statement as to the health of women and children employed in factories and workshops not embraced in the proposed Bill? I find, on looking at the Reports, that some of these trades appear to be very unhealthy. In glass-works, where boys are employed at 14 and even 13 years of age, the temperature is sometimes as high as 130 degrees. This is much higher than in cotton mills. Take, again, the description of some of the rooms in paper mills, where they may work, on an average, 66 hours, and of iron foundries, where boys of 13 may be employed, and see if they are not more unhealthy than factories. Employers will, I believe, be ready to assent to any just measure which may be introduced of a general character, if it is satisfactorily proved that shorter hours are necessary for the preservation of health. Apart from the question of health, do working women themselves desire that this Bill should become law? We have been told that few Petitions have been presented, and the apology for that apathy is that working women should wait, or are waiting, for legislation, without which they cannot do anything for their own benefit. So far as Petitions can be taken as an indication of



opinion on the part of working women, I find that up to last night 11 Petitions were presented from women, and signed by women. Of these 11, 8 only are in favour of the Bill, and 8 are against it, and so well do these factory women express themselves respecting the Bill that I will read a couple of sentences from one of the Petitions. The petitioners—

"Pray that the Bill should not pass, because they hold that adult women ought to be entirely free to sell their labour without further restrictions from the Legislature, whereas, by the proposed Bill, working women would be reduced to the condition of children, incapable of thinking and acting for themselves. The tendency of all legislation restricting the labour of women," the petitioners go on to say, "is to drive them out of the labour market, and place them in unfair competition with men."

They agree that a general reduction of the hours of labour should be made, but they believe that such an end may be best attained by mutual arrangement between employers and employed. Now, apart from the question of health, is it necessary to have any legislative enactment to shorten the hours of labour of women? If you consider the history of the past four or five years, you will find that the working classes have been fully alive to the desirability of shortening the hours of labour. In all the building trades men work 9 or even 8½ hours a day. I am sure the House will agree with me that if men work only 9 hours, it is not desirable that women should work more; but women also have been making some progress in this direction. They do not wait for any legislative enactment, but act for themselves, and act, too, with considerable vigour. According to the Report of one of the Inspectors of Factories for 1872, in both town and country districts in England and Scotland shorter hours have, in many instances, been adopted. Reference is made to Nottingham and Derby, where all the silk mills are now working 54 hours a week; to Dundee, where a number of mills are working 58 hours a week, and others 57 hours, and not one mill is working 60 hours. In a neighbouring town—Arbroath—not one mill is working more than 57 hours; and in Ashton and Staleybridge, the mills are all working 58 hours a week, closing at 12 o'clock on Saturday. An important question arises here. I speak from my

own experience as a large employer when I say that the working classes are very desirous of having a half-holiday on Saturday. If you pass the Bill of the hon. Member for Sheffield, it will be utterly impossible for the workpeople of Ashton and Staleybridge to leave the mills at 12 o'clock on Saturday, as they do at present; as, in order to make out 54 hours, if they work 9½ hours during five days, they must work 6½ on Saturday, or from 7 till 2 P.M.; and the working people of these towns will not thank anyone to compel them to work till 2 o'clock on Saturday. The Inspector adds that an Act of Parliament on this subject is unnecessary, because the result desired can be obtained by mutual arrangement between the parties concerned. Of late years a great advance has been made in the productive power of machinery employed in textile manufactures, and it is not too much to say that as labour-saving machinery is increasingly used in textile factories and in other industries, the result will be that the working classes will have more of the comforts of life and less toil than they have at present; and, I trust, the time is not far distant when, men and women will, without legislative enactments, probably not be called upon to work even 9 hours a day. A candid consideration of the whole question shows, in my opinion, that Parliament should not attempt any further restrictions as regards the best-regulated and most healthy factories, but that it should rather endeavour to bring down to 60 hours those trades which, under the Factory and Workshops Acts, may work 63 and even 66 hours a week; and in order to accomplish this, I would venture to suggest that the present Factory Acts should be amended by abolishing those exemptions and modifications which have been introduced at the instance of influential and interested parties. I would further suggest that the Workshops Act of 1867 should be repealed, and that all workshops should be brought under the operation of the Factory Act. And, agreeing as I do with the hon. Member for Sheffield as to the employment of children, I would say that no child should be employed under the age of 10 years, and that any general Act which may be passed should clearly define those trades or departments of trades where the processes used are in themselves dangerous to health, and where no

child should be employed. Allow me to suggest to the hon. Member for Sheffield to withdraw his Bill, and to unite with me in urging upon Government to bring in a general measure embracing those suggestions which I have ventured to make. I thank hon. Members for the attention with which they have listened to my remarks.

MR. TENNANT said, as the Representative of a large manufacturing town which would be seriously affected by the Bill, and as an employer of factory labour, and expressing the views of many other large manufacturers, he wished to make a few remarks upon the subject. He fully concurred in the opinion expressed by the hon. Gentleman who had just sat down that a question of such vast importance, one which affected upwards of 1,000,000 of operatives, 150 millions of capital, and £30,000,000 of annual wages, should be left in the hands of the Government. In accordance with that opinion he had placed an Amendment upon the Paper to the effect—

"That, having regard to the extreme desirability of some measure for the amendment of the Factory Acts being passed during the present Session, and to the magnitude and importance of the interests involved, it is, in the opinion of this House, the duty of Her Majesty's Government to deal with the subject and not to leave the settlement to the delay and uncertainty attendant on the promotion of Bills by private Members;"

but he regretted to say he was precluded by the Forms of the House from submitting it for their approval; he however thought hon. Members on both sides would concur in its object. He hoped, at any rate, that the Government would adopt the spirit of the suggestion contained in it. If he had an assurance to that effect, he would vote against the second reading, in the hope that a more comprehensive measure would be introduced by Government. He did not at all impugn the motive of the hon. Member for Sheffield (Mr. Mundella) in bringing forward the Bill under discussion. On the contrary, he gave the hon. Gentleman credit for the zeal he had displayed year after year, and the ability he had shown, in advocating the measure; but considering the difficulties that were attendant on the passing of any ordinary measure, and considering the great variety of interests involved in the present Bill, and the different opinions which existed upon almost every clause, he thought the

hopes of bringing the Bill to a successful issue must be very small; and that it would be much better to leave the matter in the hands of the Government. He did not think the scope of the Bill sufficiently comprehensive to carry out the object which the hon. Member had in view, and was of opinion that if any change at all was made, there could be no possible reason for limiting the measure to textile manufactures, for there were almost as many women and children employed in other industries. In Glasgow the Bill would include 24,000 and exclude 26,000; in Nottingham, 3,825 would be included and 10,586 excluded; and in Sheffield, which was represented by the introducer of the Bill, not one would be included and 11,840 would be excluded. As to foreign competition, he had no alarmist views, for notwithstanding the disadvantages in which short hours would place the manufacturers, he believed England would retain her pre-eminence if she was not too heavily handicapped, but there must be some limit to the weight she could carry, and the loss of our present position would be more disastrous to the operatives than to the capitalists. The hours of labour having been reduced in almost every trade through the strength and organization of the workmen, no doubt some concession might fairly be claimed for women and children, who had not the same power of combination, and he hoped the Government would undertake an equitable settlement of the question; but if they declined to interfere, he should vote for the second reading of the Bill, in the hope that Amendments might be made in Committee which would render the Bill a satisfactory settlement.

MR. ASSHETON CROSS said, that as appeals had been made to the Government from both sides of the House, it would not be respectful in him to allow the debate to go further without explaining the views of Her Majesty's Government on the question. The Government were deeply impressed with the importance of the matter, and of the issue now before the House, and anyone looking at the amount of industry in the country connected with the subject, could not help feeling the greatest possible anxiety that if the question was to be settled at all, it should be done upon a sound basis which was likely to make it a final

settlement, or, at all events, one that would last for many years to come. One needed only to glance at the statistics to see the magnitude of the question. The last Reports of the Factory Inspectors showed that, as regarded the cotton manufacture alone, 4,500,000 persons were dependent upon its prosperity, in all its branches, though not all directly connected with it; and that fact alone was surely sufficient to produce a feeling of deep responsibility on the part of any Government proposing to interfere in the matter. Speaking, on the one hand, of the vast number of persons interested as operatives, or deeply connected with the trade in other ways, one could not help remembering, on the other hand, the vast amount of capital invested in the trade, and that any action which they might take should not unfairly or unjustly interfere with the productive power of the capital employed. In 1871 the Reports showed that there were in Great Britain 2,484 mills engaged in the cotton manufacture, with an aggregate of 38,218,758 spindles. The cost of the buildings and machinery employed in the trade was £57,000,000, while the floating capital was £30,000,000, making together £87,000,000. Therefore, he thought he had said enough to show the gravity of the interest with which they were at the present moment dealing, and that it required to be approached with considerable care, lest they should do any injury to the capitalists on the one hand, and the workpeople on the other. Now, he thought the House would agree with him that by unduly shortening the hours of labour by Act of Parliament, they might not only injure those who were engaged in that trade as operatives, but they might also injure those who had supplied the capital necessary for carrying on the trade; and any measure which injuriously affected the trade itself must have its effect on the wages of the operatives. They should, therefore, consider both sides of the question very carefully. For himself, he looked upon the interest of the manufacturer and the interest of the employed as to a great extent one, for both were deeply interested in promoting the prosperity of the trade in which they were engaged. Talking of the capital which had been invested in that industry, a great deal had been said outside those walls, and also during the debate that day, about the

difference which had taken place of late years in the productive power of the country as compared with foreign countries, and it had been asserted that foreign competition was now so great that they could not really afford to go further in the direction of reducing the hours of labour, at all events, by Act of Parliament. He would grant that the figures put before him showed that there had undoubtedly been during the last few years a much greater increase in the productive power of foreign countries than of our own. For instance, as a test, they found the average annual consumption of cotton in the five years, 1826-30, was in millions of pounds—212.3 in Great Britain, 77.8 in France, 42 in the rest of Europe, and 38.5 in the United States. In the five years, 1841-5, it was 521.3 in Great Britain, 157.3 in France, 109.9 in the rest of Europe, and 152.5 in America; while in 1871-3 it was 1,216 in Great Britain, 248.3 in France, 562 in the rest of Europe, and 508.2 in the United States. From that, it appeared that the average annual increase of consumption in 1871-3 over 1826-30 was 473 per cent in Great Britain, 222 in France, 1,238 in the rest of Europe, and 1,235 in America; while the increase in 1871-3 over that of 1841-5 was only 133 per cent in Great Britain, 58 in France, 411 in the rest of Europe, and 233 in America. Much the same figures were brought out on looking to the consumption of British goods on the Continent, for it was equal to 400,000 bales of 400 lbs. each in 1840, and to 627,000 bales of the same average weight in 1873; whereas the consumption of raw cotton was 521,000 bales in 1840, and 2,043,000 bales in 1871-3. Those figures showed a vast increase in Continental manufactures as compared with the increase in this country. That, however, as had been remarked, was not due simply to factory legislation, but to several causes, and among others, to the natural development of those countries during a long period of peace. Such development, which could not be expected when they were at war, must be looked for when they were at peace, and when we allowed machinery to be exported. We must, therefore, as had been said, expect such an increase, and the only thing we could do was to compete with them in the open market. Moreover, a great proportion of the dif-

ference which had arisen was attributable to the prohibitory duties imposed by those countries on our exports, and those deeply interested in the cotton manufacture had not lost heart, but were prepared to meet the foreigner in the open market. If excessive restrictions were not adopted by Parliament, we had nothing to fear from foreign competition. The next question was that of the freedom of contract, which had been referred to by the hon. Member for Paisley (Mr. W. Holms). There was no doubt that one of the great principles which they should endeavour to maintain was that there should be vested in parties absolute freedom of contract, unless peculiar circumstances rendered some restriction necessary. He supposed the House was perfectly agreed, that so far as adult males were concerned, there could be no question that freedom of contract must be maintained, and men must be left to take care of themselves. On the other hand, he presumed there was not the smallest doubt that when they came to deal with children and persons of tender age, all parties would agree that they were unable to take care of themselves, and that the State was bound to interfere for their protection, and to see that they were not overworked, and that they were properly educated according to their station in life. The ground on which they did that was simply because they were not free agents, and were not capable of looking after their own interests. Well, having disposed of adult men and children, they came to the third class—namely, women who were employed in those textile trades. The question for them to determine in considering the case was—Were they to be looked on as absolutely free agents like men; or did they, or did they not, partake of the nature of children, and were not, therefore, free agents? Well, he had from his youth been intimately acquainted with a large manufacturing town, and represented one for some years, and what he had seen and heard had satisfied him that, to a great extent, women could not be regarded as absolutely free agents? When men were employed, the wives were expected to go to the factories, and so also the children; and, in some cases, from the custom of the country, the husband and whole family must be regarded as so many hands working for the common purse of the family. He

did not suppose that even the hon. Member for Paisley would propose the repeal of the old Factory Acts, and it having been conceded that it was the province of the Legislature to protect these women from being overworked, the only question was how far that protection should be carried. There could not be a stronger case for interference, as far as actual injury to the woman herself and to her child was concerned, than work at the mill two or three days after her confinement. Partly from need of the money, partly from the pressure, perhaps, of the millowner, or of her husband and family, she worked at times when utterly unfit, and in the long run both she and her family suffered. In that case Parliament had not intervened and the difficulties of doing so were, he would not say insuperable, but very hard to grapple with. He simply cited it as a case where the woman could not be looked upon as a free agent, and where she was, therefore, a legitimate object for protection, for had she the full exercise of her own free will, under the circumstances he had mentioned, to do as she liked, she would not go to work so early as she did now. If the hon. Member for Paisley meant that women were as well able to protect themselves as men, and if that was the proposition he meant to place before the House, the only logical conclusion which could possibly be drawn was, that the Factory Acts ought to be entirely repealed as far as they were affected, but nobody proposed to take that course, and the remarks which had been made on bad smells or ventilation had nothing to do with the question. The whole question they had to decide was, whether they should further interfere with the time at which women were to work, and not upon the question as to whether the existing Factory Acts were properly carried out. On what grounds were they to base further legislation, and how were they to follow it up? He believed Mr. Baker, the Factory Inspector, was perfectly right in the Report which he had made, in stating that factory legislation was a purely sanitary and educational work. He (Mr. Assheton Cross) believed that was the sound and only footing on which they could base it; and Mr. Baker reminded them that that had always been the real principle on which factory legislation had gone. In point of fact, the Act of the first Sir Robert



Peel was entitled by him "An Act for the Preservation of the Health and Morals of Apprentices and Others employed in Cotton and other Mills and Cotton and other Factories," and the Act of 1833 had a similar recital. Women and children, however much it might be regretted, were not free agents, and these Acts had operated very beneficially. Having, in a manner, challenged the hon. Member to repeal those statutes, let the House look at their beneficial results. Mr. Baker, speaking of the period prior to their passing, had said—

"It could not be denied that the factory cripples of Lancashire and Yorkshire were a remarkable sight, it being a common expression, that they seemed almost as numerous, in proportion to the industrial towns of these counties, as sailors were in Liverpool to its general population. Happily, now, there are none of these specimens of deformity left—nothing but the historical fact that those who agitated the factory question between 40 and 50 years ago seem to have hit upon their causes and the remedy, for no sooner was the excessive over-work stopped, and the age of admission to work advanced, than cripples disappeared altogether."

They had, therefore, these facts plainly before them—that the Factory Acts had worked well; that the principle of restricting women's labour had been recognized by the Legislature; and that those Acts had been of the greatest possible advantage to the inhabitants of the great manufacturing towns. On the question being brought before the House some time ago, his predecessor in office, suggested legislation on the basis he was now advocating, and two gentlemen of experience were appointed as Commissioners to make inquiry in the towns where this industry was chiefly found. The tenor of their Report was well known, and were he to go into the details, it would be found that there were many points, apart from the main issue, which would have to be decided. For instance, some factories were ill-constructed, and some processes laborious and injurious, while others were not so. The tendency of all improvements in machinery had rendered the actual work of the operatives less, but that had been counterbalanced by the necessity of increased attention. A greater strain was now put on the people employed. Owing to the increased speed, there was, without mentioning the increased dust, a great strain upon the workers; and hon.

Members interested in factories had repeatedly told him that, on watching the work during the last hour of the day, they had found it nothing as compared with that done in the earlier hours, and the strain apparently much greater. Having thus explained the principles on which the Government thought they ought to proceed, he should now briefly explain the recommendations they thought they were bound to make in the matter. They thought at the outset they were bound to take their stand upon some intelligible principle. They wanted to lay down a principle which they hoped would be perfectly understood throughout the country, and they trusted that the settlement of the difficulty which they were about to indicate would be considered, at all events for a long time, to be a final and conclusive settlement. Keeping that end in view, they desired to base their proposals upon the Reports of the gentlemen who were appointed to report upon the subject. Turning to the Report of Mr. Baker, they found that he recommended that the demand for a reduction in the hours of labour should be conceded to the factory operatives, his words being—

"On the question whether there should be this reduction in the hours of factory labour or not, I would only add that with all the facts which I have endeavoured to detail in this Report with accuracy and clearness, divesting them of all prejudice and bias, being desirous only of bringing them to bear on the question of shorter hours consistently with moderation, and the great interests involved, viewing them also in the light of days past and present, in the enlarged desires of the young for greater opportunities of intellectual culture, looking, too, at the ideas of liberty of labour which a very high rate of wages and cheap trains have evoked and fostered, I venture to express an opinion that there is ground for a reduction in the hours of labour in the factories, great and small, in which general term I include workshops."

Mr. Redgrave, putting the case on an intelligible basis, stated that, considering the monotonous kind of treadmill work of these women and the speed of the machinery, the continuous time without a break was a great strain, which could not be endured without injury to their constitution. It might be true that the women wished to work as at present; but in the long run, they would be benefited by shorter hours, for eight or ten years hence they would be better fit for work than if they had constantly had a strain put upon them and had perhaps

broken down. Mr. Redgrave, recommended, therefore, that they should be relieved from a long-continued strain and never allowed to work so long without a break. What the Government then proposed to do, was practically to follow out that advice. They thought it would be ill-advised to delay dealing with the question, and an inquiry would be useless, the Commissioners having already fully inquired into it. Further, it had been before Parliament two or three years, and had begun to agitate the country, and it was much better that it should be settled without agitation. That the owners of mills were not anxious for a continuance of the 60 hours was shown by the fact that many of them had reduced them to 59, many to 58, and some, he believed, to 57, and Mr. Redgrave said, he had reason to believe last year that the cotton manufacturers would have been induced to compromise the whole question by accepting 57 hours, and that the workers would have been willing to accept 56, and he further remarked how very little under water was the rock on which the barque foundered. Where was the difference of principle between 57 hours and 60? It was for Parliament to consider, with the Reports of personal Inspectors before them, what was the proper limit. He must here do the employers this justice—that they had always been willing to allow their operatives a considerable number of holidays in the course of the year; and in altering the law, therefore, as he should explain, the Government were desirous of making that law as elastic as possible, in order that masters—after considering the question among themselves—might be able to suit the hours alike for the convenience of themselves, those whom they employed, and the general and accepted usages of the district. Instead, therefore, of accepting the Bill of the hon. Member for Sheffield (Mr. Mundella), they proposed that no work should begin earlier than 6 in the morning, or should continue later than 7 in the evening. And here he might mention in connection with this, that they were sensible of the mischief and danger arising under the old Acts, and the difficulty for Inspectors to discover whether the law was infringed, and did not wish to recur to that. They, therefore, proposed that in each factory there should

be stated hours, which might be changed at different periods of the year, and that it should be stated whether the hours were 6 to 6, or 7 to 7. They adopted, also, the proposition of Mr. Redgrave—in which he thought there was a great deal—that there should be no continuous strain on any factory operatives of more than four hours and a-half at a time; that they should have two hours for their meals on five days of the week, so that practically for five days in the week they would work 10 hours; and on Saturday, the working hours, being from 6 in the morning till 2 in the afternoon, should be so limited as that practically they would be only six hours. If they looked at Mr. Baker's Report, they would find that that was precisely what was there recommended. Therefore, he would give in each factory 56 working hours per week. Another point to be considered was, that in every mill it was necessary at the end of the week that there should be a certain time given for cleaning, and therefore it was a question whether, at the close of the 56 hours' work, and when the manufacturing process was stopped, half an hour should not be allowed to clean up the machines. With regard to the short-timers, the Bill of the hon. Member for Sheffield stated that they should not work more than five and a-half hours, or 33 hours a-week; but the Government would suggest that in the case of the short-timers a much more convenient arrangement might be made. Everybody knew that the half-timers would work on one day before dinner and on another day after dinner, or they would all work in the morning one week and in the afternoon another week. But the morning hours being much longer than the afternoon hours, of course those who worked in the morning would be much longer employed than those who worked in the afternoon. An easy solution might be given to that question, so that practically no children would ever work in any factory really for 33 hours, and that was by allowing in all cases where the child worked in the morning the week to begin for them on Saturday. They would then have six hours on the Saturday; they would work every other day in the course of the next week before dinner; in no instance would they ever work more than 32 hours; and every alternate Saturday they would have a holiday, when the

other shift would come in. Therefore, those who worked for the short hours in one week would work on Saturday morning, and those who worked for the long hours would have no work at all on Saturday. The result would be, that there would not be more than 32½ hours' work for the children in the course of the week, and the object of the hon. Member for Sheffield would be practically carried out, as he was told, without any disturbance of the trade. The hon. Member further proposed that no child under 10 years of age should be employed in any factory. If that became law at once it would be a hurried change, and would give rise to considerable dissatisfaction. He, therefore, desired to alter the figure 10 to 9 years, up to 1875 at all events; and the age might be advanced to 10 in 1876. As to the educational test, he saw no objection, nor had he heard any taken on behalf of the employers, to the educational test contained in a sub-section of the 1st clause. Therefore, he thought the whole question might be practically summed up shortly in this way—that the hours for women and children should be limited by Act of Parliament to 56 per week; that there should be that question left as to an additional half-hour for cleaning on Saturday; that there should be the greatest possible elasticity in the provisions, so as to enable those arrangements to be made by the employers, either of England or Scotland, for their own convenience and that of the work-people, as to the longest period of hours which might be necessary; that there should be a longer time allowed each day for meals, which would be an excellent sanitary arrangement, and one which would conduce more to the health of the employed than anything else; and that the educational test might be taken as they found it in the Bill before the House, only making 9 the age at which the children should begin to work up to 1875, and 10 the age in 1876. It had been suggested in the course of the debate that now was the fitting time to consolidate all the Acts with regard to factory labour. He could honestly say there was no subject which he would like better to take up and lay before the House, but he certainly was not prepared to do that during the present Session, much as he believed it would be a very great boon, not only to the work-

people, but to the masters. The point had been raised whether the regulations that they proposed should be confined simply to the factories included in that Bill, or should be extended further. That was a matter which at the present moment was under the deep consideration of the Government. They thought there were kindred subjects to which those regulations might be safely applied. The suggestion had been made that day that they should be extended to all workshops. That was quite a different question, and he would like to reserve his judgment upon it until he had had time to consider it fully; because although at first sight it might seem a very simple matter, and might commend itself to their approval, yet the nature of the trades concerned was so various, and the interests involved were so large, that he, for one, should deprecate any hasty legislation affecting them until the whole matter had been thoroughly discussed. Therefore, all he could promise as to that was, that it should receive their careful consideration. He now made those proposals on behalf of the Government, knowing perfectly well that it was impossible the Bill of the hon. Member for Sheffield could be read the second time that afternoon. Indeed, he was of opinion that a measure of such importance and gravity ought to be introduced on the responsibility of the Government; therefore, if the proposals he had indicated met with anything like fair acceptance, and were regarded by both sides as a reasonable settlement of that question, he hoped that further agitation on it throughout the country would be avoided. Nothing could be more deplorable than that masters and men should be in antagonism on that subject, and therefore he was prepared, on behalf of the Government, to introduce such a Bill upon it as he had sketched out, and to press it forward and carry it, if the House would support him, in order that that question might be settled to the satisfaction of the country, for the benefit of the operatives, for the calm and peace of the masters—and, if the hon. Member for Paisley would allow him to say so—without any further interference with economic principles than was to be found in those old Factory Acts, which he was sure that hon. Member himself would not wish to repeal.

MR. W. E. FORSTER said, he had intended, before they heard the very able and candid speech of the right hon. Gentleman who had just sat down, to vote for the second reading of the Bill of the hon. Member for Sheffield (Mr. Mundella). He (Mr. W. E. Forster) had been an original advocate of the Ten Hours Bill, and he believed the time had now come when there were good reasons for shortening the hours of work for both women and children in factories, and he was glad that the right hon. Gentleman sketched out a Bill for the purpose, which he put beside that of the hon. Member for Sheffield, and the question now was, what that hon. Member should do. For himself, he saw no reason why the second reading of the present Bill should not be taken that day, and why the alterations proposed by the Government should not be made in it by Amendments in Committee. ["No, no!"] If, however, in a matter of such importance, the Government felt they ought to bring it before the House in words of their own drawing, objection could hardly be taken fairly to their doing so. On the other hand, it would be very unfair to his hon. Friend's Bill that it should be negatived; therefore he thought the best course would be not to take a decision now on his hon. Friend's Bill, but to adjourn the debate, until they had an opportunity of seeing the measure which the Government intended to bring in, when his hon. Friend would be able to decide whether it was necessary for him to proceed with his measure.

MR. ROEBUCK moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."  
—(Mr. Roebuck.)

MR. FAWCETT said, that after the statement of the Home Secretary, he assumed that the Bill of the hon. Member for Sheffield had virtually dropped, and its place been taken by another, to be introduced by the Government, and for the discussion of the proposals contained in which, he presumed, an opportunity would be given hereafter. He wished, therefore, to say that he did not mean to surrender without protest the principle that the time had come when they ought not to sanction any further

legislation with regard to adult labour. He suggested that the Home Secretary should divide his contemplated measure into two parts—the one dealing with the education and employment of children, as to which there would be little or no difficulty; and the other with the regulation of adult labour, as to the policy of which, even on both sides of the House, there existed a very serious difference of opinion. By the proposed legislation they were nominally asked to interfere simply with the labour of women, but the real and practical issue was whether they would interfere with the labour of adults, both men and women. The hon. Member for Sheffield had spoken approvingly of Switzerland and Germany, but it was a remarkable fact that in those countries they carefully abstained from interfering with the labour of adults. He wished to protest against the Socialism propounded that day by the hon. Gentleman the Conservative Member for Manchester (Mr. Callender), who said that if they interfered with the labour of adults, the same wages would be paid for a smaller number of hours' work as for a larger number. A doctrine more mischievous to the interests of the working classes themselves, or one more likely to prove disastrous to the trade of the country, could not well be encouraged by the Representative of a great manufacturing town. He intended to appeal to the independent feeling of the House to assert the principle that the number of hours for which adult men and women should work was a question, not for Parliament, but for the men and women concerned to settle.

MR. MUNDELLA thanked the Home Secretary for the very fair and candid manner in which he had dealt with the subject, but wished to keep his Bill on the Paper until the Government's measure was before the House. He should therefore accept the advice of his right hon. Friend the Member for Bradford (Mr. W. E. Forster), and would suggest that the debate be adjourned to that day fortnight.

MR. W. E. FORSTER asked when the Bill of the Government was likely to be introduced?

MR. ASSHETON CROSS said, it was already in the hands of the draftsman, and would be brought in as soon as possible.



SIR THOMAS BAZLEY said, that he, too, would accept the proposals of the Government, at least for discussion, and should withdraw his Amendment.

Amendment, by leave, *withdrawn*.

Question put, and *agreed to*.

Debate *adjourned* till *Wednesday* 20th May.

House adjourned at a quarter before Six o'clock.

## HOUSE OF LORDS,

*Thursday, 7th May, 1874.*

MINUTES.]—PUBLIC BILLS—*First Reading*—Supreme Court of Judicature Act (1873) Amendment \* (56); Court of Judicature (Ireland) \* (57); (£13,000,000) Consolidated Fund \*.

*Second Reading*—Colonial Clergy (43); Betting (78).

*Committee—Report*—Courts (Colonial) Jurisdiction \* (48); Game Birds (Ireland) \* (49).

*Third Reading*—Marriages Legalization (St. Paul's Church at Pooley Bridge) \* (102); Marriages Legalization (St. John the Evangelist's Chapel in the Parish of Shustock) \* (101); Public Works Loan Commissioners (Loans to School Boards) \* (23), and *passed*.

### NEW PEER.

Edward Granville George Howard, esquire (commonly called the Honourable Edward Granville George Howard), Admiral on the Reserved Half-Pay List of Her Majesty's Fleet, having been created Baron Lanerton of Lanerton in the county of Cumberland—was (in the usual manner) introduced.

### ENDOWED SCHOOLS—ELLSWORTH'S CHARITY—COMBE'S SCHOOL, CREWKERNE.

THE QUEEN'S ANSWER TO ADDRESS.

THE LORD STEWARD (The EARL BEAUCHAMP) *reported* Her Majesty's Answers to the Addresses of Monday last.

"I will withhold my assent from the scheme in conformity with your desire."

### COLONIAL CLERGY BILL.—(No. 43.) (*The Lord Blachford*.)

#### SECOND READING.

Order of the Day for the Second Reading, read.

LORD BLACHFORD, in moving that the Bill be now read the second time, said, that it was more limited in its scope than that which he had introduced last year. The former Bill was intended to remove two colonial grievances, the one episcopal, affecting the devolution of Bishops' property, the other clerical, affecting the position in England of colonially ordained clergy. It also aimed at consolidating the existing law respecting non-English ordinations, and therein at prescribing the status of persons ordained by Irish and Scottish Bishops. The present Bill was confined to the removal of the clerical grievance which arose thus. The 2nd clause of 59 Geo. III. c. 60, provided in effect that no person ordained by any Bishop other than those of England and Ireland should be capable of English or Irish employment without the consent of the Archbishop of the Province and the Bishop of the diocese in which he desired to officiate. The 4th clause, with greater severity, enacted that no person ordained by a Bishop not having episcopal jurisdiction over some diocese, and actually resident therein, should be capable "on any pretence whatever" of holding any ecclesiastical preferment within Her Majesty's dominions or of officiating "at any place or in any manner" as minister of the Established Church. This being the Statute Law, the Judicial Committee had recently determined that the Prerogative power of creating bishoprics and giving episcopal jurisdiction by Letters Patent was extinguished by the grant of representative institutions. From this it followed that a number of Bishops in Africa, America, and Australia, had never had the legal jurisdiction supposed to be conferred on them, and that a large and constantly increasing number of colonial clergy were absolutely incapacitated for English employment. This consequence was carried still further by the decision of Her Majesty's Government to discontinue generally the issue of Letters Patent which were the only established source of legal jurisdiction. It was impossible to say, in view of this decision, how far the disability might extend. The Bill now submitted to their Lordships was intended to remove this injurious and unintended consequence of the law as it stood. But, as under circumstances which might arise it would be found ex-

tremely difficult to define with legal precision who were and who were not entitled to the status of colonial Bishops and clergy; and as the 2nd clause of 59 *Geo. III.* c. 60, appeared to afford sufficient security against the circuitous introduction from whatever quarter of unfit clergy into English employment and so to render any such definition unnecessary, it was proposed by the present Bill to embrace under that one precautionary rule all persons ordained otherwise than by the Bishops of the Church of England, the Church of Ireland, and the Protestant Episcopal Church in Scotland. The Bill accordingly enacted—following the Act of *Geo. III.*—that no person so ordained should officiate in England without the consent of the Archbishop of the Province or hold preferment without the consent of the Archbishop and of the Bishop of the diocese. The only clause in the Bill requiring further notice was the 10th, which, in the consecration of a colonial Bishop, would enable the consecrating Archbishop to dispense with the oath of obedience to himself in cases where that oath would be more properly taken to a colonial metropolitan.

*Moved*, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Blachford*.)

THE EARL OF CARNARVON said, he thought his noble Friend (Lord Blachford) had adopted a wise course in introducing a less ambitious Bill than his Bill of last Session. On the question of the distribution of the property of Churches in connection with the Church of England, attempted to be dealt with by the Bill of last Session, different views were taken in different Colonies, and therefore the subject was one which could be dealt with better by the Colonial Legislatures than by the Imperial Parliament. The status of the colonial clergy was, no doubt, in an unsatisfactory and an anomalous position. The Bill had to deal with a rather mixed and heterogeneous body of clergy; but under its provisions they would be placed upon one simple and definite footing, and in a position only a little inferior to that of the Scotch episcopal clergy. By the consent of the Bishop of the diocese in which he proposed to officiate, a Scotch clergyman might remove to any part of the United Kingdom. On the other hand, the clergy in respect of whom the

Bill was proposed would require not only the consent of the Bishop but also of the Archbishop in order to hold preferment, and such consent would be required *toties quoties*, as often as they changed from one place to another. Their position would, therefore, be inferior to that of the Scotch clergyman; but would be uniform throughout the whole body. While it was the duty of Parliament to take every reasonable precaution against the danger of improper persons officiating as clergymen in English dioceses, everything calculated to remove an injustice and an anomaly deserved the favourable consideration of their Lordships; and believing that the Bill was calculated to effect the latter object, he was glad to support the second reading.

THE BISHOP OF LONDON hoped their Lordships would read the Bill a second time. Such at present was the state of confusion on the point that he defied any Bishop, and, still more, any layman, to decide what was the position of any clergyman who had been ordained in the Colonies or abroad. The disabilities imposed by former Acts worked harshly in some cases; and, on the other hand, there were now officiating in England clergymen ordained abroad who were legally disqualified from performing any ecclesiastical act. Year by year the difficulty was becoming greater, and therefore he hoped the present Session would not be allowed to terminate without the passing of a Bill which, while providing proper checks, would sweep that difficulty away.

THE EARL OF KIMBERLEY joined in the wish just expressed by the right rev. Prelate. The evil was considerable, and it was most desirable that the position of the Colonial clergy should be placed upon an intelligible and rational basis. As regarded the distribution of property belonging to the various colonial Churches connected with the Church of England, he agreed with his noble Friend the Secretary for the Colonies, that the subject was one which could be much better dealt with by the Colonial Legislatures. He was happy to give his support to the Bill.

*Motion agreed to*; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on *Tuesday* next.

## BETTING BILL—(No 47.)

*(The Earl of Morley.)*

## SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF MORLEY, in moving that the Bill be now read the second time, said, that three years ago a Bill aimed against betting passed through their Lordships' House without opposition, but was withdrawn in the other House. The Bill now before their Lordships had passed through the other House of Parliament with equal unanimity. The Act of 16 & 17 *Vict.* c. 119—the Act for the suppression of Betting Houses—had two faults, which the present Bill was intended to remove. First, it did not apply to Scotland; and next, while it prohibited the advertising of betting-houses in England and Ireland, it did not prohibit the advertising in England and Ireland of betting-houses kept in Scotland. The consequence was that there had been an emigration of the betting-house keepers from other parts of the United Kingdom to the Kingdom north of the Tweed—and even across the Channel. There were no fewer than 13 small betting-houses in Edinburgh and 28 in Glasgow, which was double the number that there were last year, several of which booked bets of 5s., and some of them bets of even 1s. From these positions these people flooded the country with an enormous number of circulars. He need not state to their Lordships that all the higher-class morning papers, both of the provinces and the metropolis, repudiated such advertisements; but they were accepted by some of the provincial papers and by several of what were known as the "Sporting papers," a higher price being obtained for them in consequence of the action of the higher-class papers in refusing to insert them. In one Dublin paper he found two of those advertisements, one of which occupied 2½ columns and the other 1½. The advertisers professed to give an absolute guarantee that those who betted through them must win. It was almost impossible to believe that anyone could be fool enough to believe such professions; but, seeing the extent to which the owners of these Scotch betting-houses advertised, he was afraid that there were people so foolish as to invest with them. He presumed that Scotland would have been included

in the existing Act, only the promoters had believed that the sageness of the Scotch people rendered such a measure unnecessary; but if this Bill passed, the betting-house keepers would not be able to advertise in the United Kingdom, even if they removed their offices to Boulogne. Nothing could be more improper than that advertisements of this class should be daily placed in the hands of shopmen and clerks, domestic servants, small traders, and others. He had heard that the Bill was objected to in some quarters on the ground that it was a proposal for class legislation, and that under its provisions the Post Office would have power to open circulars. Both objections were unfounded. The object of the Bill was the protection of poor persons who were tempted by delusive advertisements to invest small sums, which there was no chance of their ever seeing again. The principal clauses of the Bill were the third and fourth. By the third clause it was enacted that where any letter, circular, telegram, placard, handbill, card, or advertisement, relating to betting, was sent, exhibited, or published, the person sending, exhibiting, or publishing, should be subject to the penalties provided in the seventh section of the Act for the Suppression of Betting Houses. The fourth section simply extended that Act, with certain modifications, to Scotland.

*Moved*, "That the Bill be now read 2<sup>a</sup>."  
—(*The Earl of Morley.*)

Motion agreed to:—Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on *Tuesday* next.

## JUDICATURE AND APPEAL (SCOTLAND AND IRELAND).

## BILLS PRESENTED. FIRST READING.

THE LORD CHANCELLOR: My Lords, I do not think any apology will be required of me when I ask your earnest attention for a short time to some subjects connected with the administration of the law in this Empire, and which, as connected with that administration, are of the greatest importance. My Lords, I refer to the present system of Judicature in Scotland, and the present system of Judicature in Ireland, and to the arrangement which was made by Parliament last year with regard to appeals—to the question how far appeals from Ireland and Scotland should be connected with that legislation.

My Lords, the subject divides itself into three questions. First, I will state to your Lordships the new proposals which I desire to make with regard to the Judicature of Scotland. Your Lordships are aware that the judicial system of Scotland differs from the system of law in England and Ireland; and as the system of law differs, so also does the course of procedure in the Scotch Courts differ widely from that in this country. Your Lordships are, perhaps, aware that in Scotland, as a general rule, cases which arise for litigation are heard in the first instance before a single Judge, who is called the Lord Ordinary. If either of the litigants should desire to appeal from his decision, the case is carried from the Lord Ordinary, by what is called a "reclaiming note," to either of the two divisions of the Court of Session. This is a prompt and efficacious system of intermediate appeal. But when the primary process and the intermediate appeal are exhausted, the case may still be brought to an ultimate and final Court of Appeal. My Lords, of that system as it prevails in Scotland there is not, as far as I am aware, any complaint, either as regards the time occupied in litigation or as regards expenses. The course of procedure has been amended more than once in recent years; and, so far as I can learn, it may be pronounced to be, on the whole, satisfactory to the people of that country. By accident I am able to mention to your Lordships a case from Scotland heard in this House during the present week. It was one of considerable importance, involving questions—which are always nice and difficult—as to the validity of an entail of Scotch estates connected with a Scotch peerage. I observe that, in disposing of the case in Scotland, the Lord Ordinary made some observations which are so interesting as to justify me, at this stage, in reading them to your Lordships. The case was disposed of by him on the 12th of July, 1872:—

"The Lord Ordinary cannot help expressing his gratification that this case, in which he observes the summons is dated and signed the 4th of June last, which was brought into Court on the 26th of June, and in which, since then, the record has been closed, and a very full and able discussion has taken place, has been completely, and, as he trusts, satisfactorily disposed of, so far as its dependence in the Outer House is concerned, within a few weeks. It is not six weeks since the summons was raised, or three weeks since it came into Court, and yet it in-

volves large and important interests. This case is an example of the expedition, and consequently little cost, with which causes are and may, if the parties desire it, be heard and determined in the Supreme Court as it is now constituted. The Lord Ordinary, however, is not to be understood to say that those cases in which a jury trial or a proof is indispensable can be so expeditiously disposed of, but even in such cases he is convinced that parties may always have it in their power, by the exercise of ordinary vigilance, to get their suits brought to a termination without any just cause for complaint on account of delay, so far at least as the Court is concerned."

I observe that an appeal—or, as it is termed in Scotland, "a reclaiming note"—was brought against the Lord Ordinary's "interlocutor," and that appeal was disposed of by the Court of Session on the 8th of January following; so that within six months from the commencement of the proceedings—the greater part of which time was included with the autumnal and Christmas Vacations—the case was disposed of as far as Scotland was concerned. I think, my Lords, that it will not be unsatisfactory to add that the case thus disposed of in Scotland in January, 1873, has been in this month of May, 1874, finally disposed of in your Lordships' House:—so that from the first proceeding in the case till the final judgment not more than 18 months have elapsed. So far as Scotland, therefore, I have very few proposals to make, and these are connected chiefly with litigation before it arrives at the Ultimate Court of Appeal. The first proposal I have to ask your Lordships to adopt is connected with a subject very much spoken of a few years ago. At that time it had been remarked that a number of appeals came up from Scotland in cases in which the subject-matter of the litigation was very small. To meet that inconvenience Lord Westbury made proposals to check frivolous appeals in respect of such cases. I will now ask your Lordships to make provision that no appeal shall be allowed to leave Scotland in which the subject-matter of appeal does not exceed £500, excepting when some important question of law, some right of property or franchise, which are not to be estimated by the money value, are involved, or personal status, matrimonial status, and status of legitimacy. At present a case may not be brought from Scotland to the Court of Ultimate Appeal before it is fully wound up in the Scotch Court of Appeal. Now, this is found to be a



source of great expense; and I propose that an appeal may be brought to the Court of Ultimate Appeal in the first instance; and I propose that when an appeal leaves Scotland no cross appeals shall be necessary. Some limitation as to the time within which appeals shall be allowable will also be provided.

I now turn to the case of Ireland. Your Lordships are aware that the system of law is the same in Ireland as in England; and as the system is the same, so also in substance is the arrangement of the Courts of Judicature the same as that which exists in England. There are in Ireland, as in England, Courts of Equity and Courts of Common Law. There are three Courts of Common Law—the Queen's Bench, the Common Pleas, and the Exchequer. Then, in Chancery there are the Lord Chancellor, the Master of the Rolls, and a Vice Chancellor. There is a Judge of Admiralty, there is a Judge of Probate, there is the Landed Estates Court, in which there may be two Judges, though at present there is only one—and there is the Court of Bankruptcy, with two Judges. My Lords, following the example set with regard to England last year, I propose to blend the whole of those Courts in one Supreme Court—one High Court—for Ireland, in every branch of which all the jurisdiction now exercised in all the Courts shall be exercisable. I propose that, to the extent it was done in the case of England last year, law and equity shall be assimilated in Ireland; and I propose that, as in the case of England, the divisional names shall be retained. I propose that the Landed Estates Court shall be attached to the Court of Chancery Division of the High Court, carrying with it all the powers it now possesses. My Lords, in Ireland there now exists an intermediate Court of Appeal:—and this we propose to retain. The system of intermediate appeal in Ireland is this—there is an appeal from the Lord Chancellor sitting alone, to the Lord Chancellor sitting with the Lord Justice of Appeal—an appeal to a Court of two members. From the Common Law Courts an appeal lies to the Exchequer Chamber—that is, an appeal from the Judges of one of the Common Law Courts to the Judges of the other two. I cannot think that either of those modes of appeal is satisfactory. With regard to the appeal in Equity, in coming to a

Court which consists of only two members you always risk that the appeal will altogether fail; and, in Common Law, with regard to the Court of Exchequer Chamber, that tribunal in Ireland is open to the same objection urged with such force against the Exchequer Chamber in England—that it is fluctuating in its composition and uncertain as to its time of sitting. Then it is a Court in which a set of primary Judges sit in appeal on another set of primary Judges, who again sit in appeal on the first. What I am anxious to do, and what I ask your Lordships to assist in doing, is to create a strong, simple, and firm Court of Appeal for all cases coming from the various primary Courts. The mode in which I propose that should be done, is this—To have a Court of Appeal, consisting of the Lord Chancellor, who shall be President, and two “ordinary” Judges who shall be styled “Lord Justices of Appeal—making three Judges of regular attendance; and to have, in addition, as *ex officio* members, the heads of the three Common Law Courts. I propose that the Court of Appeal should never consist of fewer than three members as a Quorum; and that to it should go all cases that may have been decided in any Division of the new High Court of Justice, all the jurisdiction and powers now exercised by the Court of Appeal in Chancery, and of the Court of Exchequer Chamber; and that there should also go to it cases of criminal appeal, with this qualification—that in such cases, in addition to the Judges of Appeal, two at least of the Chiefs of the Common Law Courts shall sit. We propose, also, that to this Appeal Court should go all appeals in land cases, which at present go to a fluctuating and uncertain body of Judges. I have nothing more to say with regard to the Court of Appeal except that the Lord Chancellor and Lords Justices, if their time should not be fully occupied by appeals, should be qualified to lighten some of the original business in the Court of Chancery by taking some of the unheard causes. I shall now refer to the number of the Common Law Judges in Ireland. Of these there are twelve—four in each Court—the Chief and three Puisne Judges. There are in Ireland six circuits, and two Judges go each circuit. Two Judges have also to attend the sittings of the Criminal Court for the

city and county of Dublin. We propose to take advantage of the blending and amalgamation of all the Courts for doing that which was done in England last year—for dispensing, in future appointments, with some of the Judicial staff. In this country your Lordships and the other House of Parliament were able to reduce the number of the Common Law Judges by three. We propose under the new arrangements in Ireland to have in future five Circuits in place of six, dividing the assize business among the five; and to require the attendance of only one Judge instead of two to preside at the criminal sittings in Dublin. We propose to leave in the Division of the Court of Queen's Bench, where the business is somewhat heavier because of Crown cases, the four Judges; but to take one Judge each from the Court of Common Pleas and the Exchequer. As the transfer of the Judge of the Landed Estates Court to the Chancery Division of the High Court will get rid of some complicated business in the two Courts as they exist now, we propose that the Judge who at present so ably conducts the business of the Landed Estates Court should take it in the Chancery Division, and that no second Judge should be appointed to that Court. We propose that on the death or the resignation of the present Judge of Admiralty, no new appointment to that office should be made, but the business of his Court be transacted by the Common Pleas Division of the High Court. We propose, after the tenure of office of the present holder, to dispense with an expensive office, and one to which a considerable staff is attached—the office of Receiver Master; and also to dispense with the double office of Accountant General and Notice Officer of the Landed Estates Court and the Court of Chancery. On the other hand, we propose to make an addition to the judicial staff by the appointment of another Lord Justice of Appeal. I should state to your Lordships also—though this is rather a financial question for the other House—that, inasmuch as the Puisne Judges in Ireland at present receive a salary of £4,000 Irish, or about £3,700 British, and the Master of the Rolls and the Vice Chancellor receive £4,000 British, we propose by way of remunerating them for the addition to their duties, to increase the salaries of the Puisne Judges to

£4,000 British. I believe that even after this increase has been set against the reduction, the saving will be about £14,000; but I commend the proposal to your Lordships not on that ground. We propose that the measure effecting these objects should come into operation on the 1st of January in next year. That disposes of all I have to trouble your Lordships with on the subject of judicature inside of Ireland.

I now come to the Ultimate Appeal as regards Scotland and Ireland and other parts of the Empire. My Lords, the Judicature Act passed last year is made to come into operation on the 2nd of November in the present year. After that Act was passed its provisions left, as it seemed to me, fully as much to be done outside the Act as was done by the Act itself. And very properly so, because there were outside the Act matters of detail that could not have been settled by the Bill itself. It was provided that Rules should be made under the direction of the Judges of the High Court, and in November last that operation was commenced. Three learned gentlemen, exceedingly well qualified, were selected as draftsmen by my noble and learned Friend (Lord Selborne) who preceded me in office. Mr. Jones, Dr. Tristram, and Mr. Arthur Wilson were selected by my noble and learned Friend, and these gentlemen were to act under a committee of the Judges. The Rules of two of the Divisions have been printed, and are now in course of circulation among the Judges for the purpose of obtaining their approval, and among those bodies of professional lawyers who have an interest in these Rules, and are naturally able to give special assistance with regard to them. There remains another Division of these Rules still to be printed and circulated in the same way; but it is anticipated that they will be printed and circulated before the 1st of June, and after that I have reason to think that some of the Rules can be adjourned to a later period.

I have now to state to your Lordships some minor changes which are found to be necessary, and with regard to which the part of the Bill which I shall have the honour to lay on the Table contains provisions. One relates to a question as to which I will not trouble your Lordships with any detail, but only refer to it—the position of the Judge of the

Court of Admiralty. When the Judicature Act of last year was in progress through this House, it contained a proposal to put the Judge of the Admiralty Court, who has at present a salary somewhat smaller than the other Judges, on an equality as regards salary with the other Judges, and to require him to perform duties of the same nature as the other Judges perform. Your Lordships are aware that at present the Judge of the Court of Admiralty holds certain ecclesiastical appointments. When the Bill went down to the other House of Parliament a proposal was made, with the view of advancing the position of the Judge of the Court of Admiralty, that those ecclesiastical appointments should be relinquished. I understand that some communication passed between the Law Officers of the Crown and the Judge of the Court of Admiralty. Unfortunately, that communication on one side and the other was misunderstood, and the result was that the Bill passed into law, leaving the Judge of the Admiralty Court charged with the performance of increased duties under the Act, but without the provision which was made in this House that he should be advanced, both as regards salary and rank, to the position of the other Judges. I mention this because I understand that my noble and learned Friend (Lord Selborne) and the late Government were of opinion that this was an oversight and ought to be remedied, and Her Majesty's Government feel it their duty to propose a clause in the present Bill to remedy this oversight. Another minor matter as to which I have proposed modifications of the Act of last year relates to a subject not fully understood at the time—the subject of Ecclesiastical Assessors. Your Lordships will recollect that when the measure was passing through the House last year, some clauses were introduced giving Her Majesty power to remit ecclesiastical appeals to the consideration of the new Appellate Tribunal, and directing Rules to be made for the appointment of Ecclesiastical Assessors, to be present at the hearing of those appeals. In our anxiety to agree upon clauses to this effect, the composition of the clauses was not quite so well considered as it might have been. They appear now, on examination, to be somewhat inelastic. In the first place, they provide that the Rules should not

be made until after the Act comes into operation; whereas it is highly desirable that they should be made before the 2nd of November next. They also do not appear to provide for the appointment of Ecclesiastical Assessors for a number of years. We thought it was desirable that these appointments should be for a term of years. I shall therefore have to propose to your Lordships to alter and enlarge the Act of last year in these respects.

Passing from these, which are really minor matters; I come to one of the most important parts of the measure of last year—I mean that which dealt with the question of the Court of Ultimate Appeal. Your Lordships will remember that what Parliament did by the measure of last year was to provide that all appeals from the Courts in England, and that all the appeals at present heard by the Judicial Committee of the Privy Council—whether ecclesiastical appeals or other appeals—should be heard, if Her Majesty thought fit, by the Appellate Tribunal created by the Act of last year. The Legislature having prevented any further appeals in these cases either to the Judicial Committee of the Privy Council or to your Lordships' House, the question now remains—What shall be done with regard to appeals from Scotland and from Ireland? I should observe that recently there has been a certain amount of discussion and controversy as to the feeling of the people of Scotland and of Ireland on the subject. I do not know that anything has occurred which could enable us to say certainly what is the feeling of those countries at large. But I think we have had considerable indication of the feeling of the professional people in Scotland and Ireland on the subject, and, so far as I can gather it, the professional feeling in Scotland has been, and is at this time, that of contentment with the mode in which the jurisdiction of this House has been exercised—the professional classes in Scotland would be well satisfied if appeals from Scotland continued to be made to your Lordships' House. But I think that, at the same time, they have indicated that, assuming that the jurisdiction of this House will be no longer exercised with regard to English appeals, they would prefer Scotch appeals being disposed of by the same tribunal as disposed of English

appeals. I think that a similar feeling exists on the part of the Bench and Bar of Ireland. An official communication was made last year to the Chief Secretary for Ireland, in the month of June, on behalf of the Judges of Ireland who assembled at that time to take into consideration the Supreme Court of Judicature Bill. From that communication it appears that the Irish Judges unanimously resolved—

“That it is of essential importance to the administration of the law that there should be preserved a right of final appeal from the decisions of the Courts in Ireland to the same tribunal as that to which the right of final appeal shall lie from the like decisions of the Courts in England.”

I will not trouble your Lordships more particularly with that resolution, for this reason—I have this morning had a communication with one of the learned Judges in Ireland, who, I understand, was referred to in “another place” as entertaining a different opinion, and as having suggested that a different opinion was entertained in Ireland by the Judges generally; and he has begged me to state that the Judicial Bench in Ireland adhere to the resolution that I have just read—that whatever opinion they might entertain in favour of continuing appeals to this House, now that English appeals will cease to be made to this House they think it is expedient that Irish appeals should go to the same tribunal as the English appeals. Now, I may say at once that it is upon this principle that Her Majesty’s Government propose to act. They propose to supplement the measure of last year by provisions which will carry to the same tribunal Scotch and Irish appeals; and they propose to constitute that tribunal as an “Imperial Court of Appeal.”

Here at once arises a question which I have no doubt your Lordships will put to me—If the Court created by the legislation of last year is to become an Imperial Court of Appeal, what alteration is it proposed should be made in the constitution of the Court, and in the qualification and quality of the Judges? Now, let me remind your Lordships what the composition of the Court of Appeal is under the Act of 1873. There are nine ordinary Judges of the Court of Appeal—that is to say, the two Lords Justices, four Members of the Judicial Committee of the Privy Council, and

three other ordinary members to be appointed, but who have not yet been appointed, as members of the Court of Appeal. Then, there are five *ex officio* members—the Lord Chancellor, the Chief Justice of the Queen’s Bench, the Chief Justice of the Common Pleas, the Chief Baron of the Exchequer, and the Master of the Rolls—14 in all. In addition to that there are what are termed “Additional Members” of this Court of Appeal—that is to say, any person who has held the office of Judge of the Supreme Court in England, or the office of Lord Justice Clerk in Scotland, or the office of Lord Chancellor, or Lord Justice of Appeal in Ireland, or the office of Chief Justice of any of the three Presidencies in India. They who have served in those offices and who will express in writing their willingness to serve in the Court of Appeal, may be appointed by the Crown to serve as Additional Judges. It is, of course, impossible for me to say how many might be found with the necessary qualification, and willing to give the requisite amount of what I may term voluntary service; but, to speak of probabilities with safety, I will assume that two or three could generally be secured to give attendance upon the Appellate Court. That being so, your Lordships will observe that we have nine ordinary members, five *ex officio* members, and other two or three of these voluntary or additional members. In that way you will have the Appellate Court composed of sixteen or seventeen Judges. Now, I may here state to your Lordships as a matter of some interest, the amount of business which we may suppose will require to be done, including Scotch and Irish appeals. I have taken as a test the number of appeals which have come before your Lordships during the last five years, and I find that the average number in the year is 54½, of which 27½ come from England, 22 from Scotland, and only five from Ireland. It will be remarked that the appellate business from Ireland, at all events, is not very heavy. Now, the question naturally arises, are we to have any *ex officio* members of the Imperial Court of Appeal from Scotland and from Ireland—that is to say, are we to have any of the Judges at the time actually in office in Scotland or Ireland attending the Appellate Court in this country? The con-



clusion at which Her Majesty's Government has arrived is that it would not be desirable or expedient to have any *ex officio* members of that kind; and this is not from any want of appreciation of the value of the services of those eminent men, but for a very different reason. Your Lordships will observe from what I have said that the Judges in Scotland are at present fully occupied either as primary Judges or as fulfilling the duties of the intermediate Court of Appeal in that country. And the same remark applies to Ireland. Your Lordships, therefore, will see that the precedent set in England by taking certain existing Judges and making them *ex officio* members of the Court of Appeal is entirely inapplicable to the case of Scotland or Ireland, because in England there is no intermediate appeal, and the Judges are therefore able to give a certain amount of their time to the business of the Appellate Court. Moreover, it might be in the highest degree inconvenient to have Judges coming from Scotland or Ireland for one or two days to take part in proceedings here, to the derangement of the business of their own Courts, which would have to be interrupted and on subsequent days resumed, and the whole arrangements in regard to which would be impeded if they were made to depend on the arrival of Judges occupied elsewhere. We have, therefore, as regards the *ex officio* Judges, no alteration to propose in the composition of the Appellate Court as settled last year. Now arises the question what alteration should be made in the qualification of those who are to be appointed Judges of the Court of Appeal. Your Lordships may remember that last year when it was proposed to transfer the appeals from Scotland and Ireland to this Court, the further provision was suggested that, of the ordinary Judges of the Court one should necessarily be chosen from the Bar or Bench of Scotland, and one necessarily from the Bar or Bench of Ireland. I think there are very grave objections to a provision of that kind. In the first place, if you lay down the hard and unyielding rule that you must always make a selection in Scotland or Ireland for a particular vacancy, it ceases to be in your power to consider whether it is possible at the time to find a suitable man in the country where the choice has to be made.

No doubt at times there may be persons extremely eligible; but it might happen at other times that no eligible person could be found. There is another very strong objection to the clause. If you lay down the rule that the Appellate Court cannot be properly constituted unless there is a member from Scotland and one from Ireland, it will at once be said that the rule is intended to indicate an intention that Irish business must be heard by the Irish member and others, and Scotch business by the Scotch member and others. In fact, we should have logically to make a provision to that effect; and this would, of course, put an end to the idea of one general Imperial Court of Appeal, homogeneous in its composition and with no difference whatever in the capacity of its members. We think it would be more satisfactory to the Kingdom at large to give a much more extensive area of choice to those who have the responsibility of appointing the ordinary Judges of the Court of Appeal. We propose that, without exception, all the ordinary Judges may be selected from the Bar or Bench of England, Scotland, or Ireland. We propose to make no distinction, but to leave it to those with whom the choice rests to appoint the best man they can get at the time—and probably this arrangement will be regarded as one which is likely to work efficaciously for the good of every one. I have no doubt that a great advantage will be derived from bringing together on the Bench of the Court men who have been trained at the different Bars of England, Scotland, and Ireland.

Now, having, in this way, stated the only alterations we propose to make in the composition of the Court and the qualification of its members, I have to ask your Lordships to approach the subject which naturally presents itself next, and which is by no means the least important of all. Having got your Court of Appeal in this way, how do you mean to use it? What provisions do you mean to make as to the manner in which appeals are to be heard before it? I must remind your Lordships that under the legislation of last year there are no arrangements of that nature beyond this—that it is provided that the members of the Appellate Court—who, as I mentioned to your Lordships, may be sixteen or seventeen in number—may sit in any number of Divisions—with

this qualification, that there must not be less than three Judges in any Division. The consequence is, that you may have three or even four Divisions, with three members in each, all sitting at the same time and discharging all the ordinary functions of a Court of Ultimate Appeal. Now, I mention this not in the slightest degree to express surprise at the legislation of last year. When we remember the magnitude of the work which was then undertaken, and the novelty of the provisions that were proposed, I think that, instead of wondering that the work was not then once and for all completed, it would be much more natural for us to be surprised if supplemental legislation on the subject were found to be unnecessary. Whatever difficulties may have to be met in connection with the Act of last year, I believe that on account of the immense area of legal arrangements with which it dealt, and the manner in which it treated the constitutions of our Courts—constitutions which had taken deep root in all our traditions and practices—it will take rank in future times among those works of legislation that are regarded as of the greatest magnitude and importance. But it is for us now to consider whether some further provisions are not required with a view to an efficient working of the system of Ultimate Appeal. I certainly objected last year, and so did others, to the arrangements laid down by the Act. It appeared to me and to many others, that the arrangements with regard to the Ultimate Court of Appeal were anomalous in this respect—that they abolished any intermediate appeal for England, while an intermediate appeal would remain for Scotland and Ireland, and for all the Colonies, and also in ecclesiastical cases. The only cases in which there would be no intermediate appeal would therefore be the cases from England. That appeared to me to be a very considerable anomaly; and, in addition, it certainly did seem to me there would be a very great danger of two or three Courts of Ultimate and Final Appeal sitting at the same time, and perhaps differing in the conclusions at which they arrived. It appears to me, also, that this consequence may possibly occur—you may have an appeal involving property of great magnitude brought to a Division of this Ultimate Court of Appeal from the decision of one Judge,

or it may be from a Court in which there were three Judges, and you may have the three members of the Appellate Court divided upon it—two against one. Now, the decision of the case would of course rest upon the opinion of the two; and so you might have two Judges in the last resort over-ruling the opinion of three, or it may be four, other Judges. This, I think, would be a very great evil, if it were allowed to pass without a remedy. And I would ask your Lordships to bear in mind what are the real advantages of an Ultimate Court of Appeal. It is a great mistake to suppose that its main and only object is to secure the best possible decision that can be arrived at in any particular case. That, no doubt, is one object, but it is by no means the only, or even the chief object. I believe one of the great objects of an Ultimate Court of Appeal is to steady and settle the law of the country. I believe you could have nothing more to be deprecated or deplored than a system of appeal, which, in place of settling or steadying the law of the country, would, by a conflict between the different Divisions of the Court of Final Appeal, unsteady and unsettle the law. One of the objections which have been taken by many to the appellate jurisdiction which has hitherto existed in England, was that this House and the Judicial Committee of the Privy Council might come to a different decision on cases involving questions of English law, and that varying opinions on those questions might be pronounced by those two final Courts of Appeal. There was, of course, the possibility of such a difference arising in theory if not in practice; but when we take the case of an Appellate Tribunal divided into two or three sections, the difficulty, of course, becomes greater. By a slight departure among the different Divisions from one settled principle of law, you might by degrees get up such a divergence as would unsettle the law altogether. These being the difficulties of the case—which I do not desire to dwell on at this stage—the question is, how are they to be avoided? I must remind your Lordships of the materials which we have for a final Court of Appeal. Nine ordinary Judges, the Lord Chancellor, and four other *ex officio* Judges, and probably two or three additional or voluntary Judges. Well, we propose that there should be a First

Division of this Court of Appeal sitting with not less than five members to constitute a Quorum. We propose, as to the composition of that First Division, that three of the ordinary members of the Court of Appeal should be nominated to it by the Crown triennially; we propose that the Lord Chancellor, the Lord Chief Justice of the Queen's Bench, and the Master of the Rolls should be *ex officio* members of the First Division; and we propose that two of the additional or voluntary members of the Court of Appeal should be nominated to that First Division and nominated also for a period of three years. In that way, your Lordships will perceive, you will have three ordinary and three *ex officio* members and two additional members—eight in all, who are to sit with a Quorum of not less than five. We propose that to this First Division should be assigned the hearing and decision of all Scotch and Irish appeals, including those which may have been heard in a Court of intermediate appeal in these respective countries. We propose to assign to this First Division, also, for hearing and decision, all ecclesiastical appeals, those also which may have been heard on intermediate appeal. We propose that the remaining members of the Court of Appeal should sit in one or two Divisions of not less than three each; and that whenever, in any of the cases heard before either of those two other Divisions, the Judges are not unanimous in their decision, that case may, if the parties desire it, be heard before the First Division. In that way there would be virtually a second appeal whenever the Judges on the hearing of the first appeal were not unanimous. We propose, further, that to the First Division shall also be sent, in the first instance, any colonial cases which are considered to be peculiarly important—cases such as are well known from time to time at the Privy Council Office involving questions of constitutional law. Of course, any colonial cases which might be heard by either of the other Divisions may by arrangement come also before the First Division. I must not omit to say that the 23rd Clause in the Act of last year provided that any appeal which might for any reason be re-heard might be so heard before a greater number of Judges in the Court of Appeal. I do not think that provision would be adequate to

meet the necessities of the case. It is obvious that if you have two Judges deciding against one, the one Judge would probably be out-voted by the others who might desire that there should be a re-hearing. We propose, therefore, to give an absolute right to the parties, if they desire it, to have their case re-heard. These arrangements, should your Lordships think fit to adopt them, will, I believe, have the effect, which is, after all, the great object of a Court of Appeal, of steadying and settling the law. We shall give a point of contact between the Second and Third Divisions of the Appellate Court and the First Division, and in that way I trust we shall preserve the inestimable benefit to the law of this country—an advantage we have hitherto possessed—of having one Ultimate Court of Appeal upon all points of the law of this country.

These proposals of the Government are embraced in two Bills, which I am about to lay on your Lordships' Table—the one being for the Amendment of the Judicature in Ireland, the other for the Amendment and extension of the Judicature Act of last year. I will only say that I hope these Bills will be in the hands of your Lordships on Saturday, and that I propose to fix the second reading for next Tuesday week.

Then—

SUPREME COURT OF JUDICATURE ACT (1873) AMENDMENT BILL [H.L.] (NO. 56.)  
A Bill to amend and extend the Supreme Court of Judicature Act, 1873: And also,

COURT OF JUDICATURE (IRELAND) BILL [H.L.] (NO 57.) A Bill for the constitution of one Court of Judicature, and for other purposes relating to the better administration of Justice in Ireland:

Were severally presented by The LORD CHANCELLOR.

LORD SELBORNE said, he had listened with great satisfaction to the very lucid and able statement of his noble and learned Friend; and he was happy to be able to add that on the subject under discussion, as well as upon another very important one which was recently under the consideration of their Lordships, there would probably be no serious difference of opinion—if any at all—between the noble and learned Lord and himself. He should, however, be agreeably surprised if the pecuniary

*The Lord Chancellor*

saving with regard to the Irish Judicature anticipated by his noble and learned Friend should turn out to be so great as he seemed to suppose. As to the Scotch and Irish appeals, he felt persuaded, the noble and learned Lord had come to a wise decision in determining not to introduce *ex officio* members into the Court of Appeal from either Ireland or Scotland. The subject was necessarily under the consideration of the late Government during the Recess; he could not say that any conclusion with respect to it had been finally arrived at—it was still under consideration when the change of Government occurred; but, on the question whether there should be *ex officio* Judges in the Final Court of Appeal brought from Scotland and Ireland or not, the opinion of the late Lord Advocate (Lord Young) was that it was not, on the whole, advisable that this should be done. The reasons given by the late Lord Advocate completely satisfied his (Lord Selborne's) mind that he was right in taking that view; because to withdraw from Scotland the leading members of the Scotch Bench in order to make them practically useful in an Imperial Court of Appeal must necessarily much interfere with the course of justice in Scotland, and particularly in the intermediate Court of Appeal there; while, moreover, those Scotch Judges would not necessarily, in the decision of Scotch cases, have greater authority than the other Members of the new Appellate Court. When it was proposed last year to introduce *ex officio* members it was never intended that the Scotch appeals should necessarily be decided by Scotch Judges, nor the Irish appeals by Irish Judges. On the whole, he thought his noble and learned Friend had adopted the wisest course in laying before their Lordships the proposition on that subject which he had now explained. That the highest Court of Appeal should, from time to time, include some of the most eminent Scotch and Irish lawyers, was clearly desirable; but that object might be attained without laying down, by Act of Parliament, any more fixed rule of selection than that which his noble and learned Friend proposed. With respect to the proposed modification of the manner in which the Court of Appeal should deal with the cases coming before it—and more especially by constituting a First Division of not fewer

than five Judges sitting at a time, who should take Scotch, Irish, and Ecclesiastical appeals, with re-hearings of cases in which there was difference of opinion—he might point out that in some degree, at all events, that part of the question had assumed a different relation to the whole measure from the introduction of Irish and Scotch appeals. The introduction of those appeals of course rendered necessary some special provision as to the manner in which they were to be disposed of. He had never been insensible to the necessity, in establishing a new Final Court of Appeal, of avoiding the evil of discordant judgments. In the measure of last year, which was limited to English appeals, a power was given of re-hearing cases as to which the Judges of a Division had differed in opinion, and other important cases also. He should have placed great confidence in the discretion with which the Judges would have exercised that power. His noble and learned Friend now proposed that, instead of its being left to the discretion of the Judges, the right of re-hearing should be more definitely regulated by statute. He was not disposed to offer any serious objection to his noble and learned Friend's proposal in that respect; more especially as he understood it was not meant to make the Judges of the First Division unavailable for any other business of the Court of Appeal for which their assistance might be required. Some indeed might think that the bill of fare which his noble and learned friend provided for the Judges of the First Division would probably be sufficient to occupy the whole of their time. That remained to be seen. His own opinion was that if the plan which had been suggested were adopted, the number of Scotch appeals would considerably diminish, and also that the Irish Appeals—now few in number—would not have a tendency to increase. Therefore he did not think there was any overwhelming amount of business to be expected from either the Scotch or the Irish appeals; and he did not despair of seeing all the business which would come before the new Appellate Court done both well and expeditiously.

LORD MONCREIFF said, that he had listened with great pleasure to the perspicuous statement of the noble and learned Lord. As to some parts of his speech he entirely agreed with him, but



in some other respects he should like to see the Bill before expressing a definite opinion. A great deal had been said about the people of Scotland and the distinction which existed between the law of that country and English law. In the first place, in regard to the intermediate appeal, he thought his noble and learned Friend was right in not interfering with the intermediate appeal in the Scotch Courts. He did not think the Judges of that country ought to be occupied with the question of ultimate appeal, nor did he think the Court of Ultimate Appeal should be occupied by the small and trivial cases referred to by his noble and learned Friend. The important matter to which he wished to refer was the proposal to terminate the jurisdiction of that House in regard to appeals from Scotland, and to transfer it to a new tribunal. He had come to the conclusion that it was of great advantage to the people of Scotland that appeals in legal matters should be settled by the new Court of Appeal, and that the jurisdiction of their Lordships' House should cease. An entirely different system of jurisprudence prevailed in Scotland from that which prevailed in England; but it differed only in form, because in every enlightened country the principles of jurisprudence were the same. In truth, the jurisprudence of Scotland was not indigenous to the soil, and there was very little of it that owed its origin to the country itself; on the contrary, both its terminology and its principles had for the most part, been derived or adopted from the Continent. It often happened in the last century that young students of Scottish law pursued their education in Continental schools. At the time of the Union there was an appeal to the Scottish Parliament. He would not trouble their Lordships with the history of the transactions which led to the transfer of the appeal to the Imperial Parliament, sitting judicially in their Lordships' House; in which Scotland had its share, though not a very large one, of the representation. At the time it was well known that there was some controversy as to the question of the necessity of appointing Judges conversant with the Scottish law; but from accident or necessity, more than from principle, these appeals had, for the most part, been heard by Judges conversant with the law of England,

though there were among them men who had been originally trained up under the legal system of Scotland. He should be very ungrateful if he did not acknowledge the great obligations which the northern part of the Island was under for the assiduous and judicious exercise of their functions by that House, and to the noble and learned Lords who had presided over them through a long line of illustrious Lord Chancellors, from the time of Lord Eldon down to that of his noble and learned Friend who now occupied the Woolsack. These had brought to bear on Scotch cases a brilliancy of intellect and a weight of judgment and experience which had been of the utmost advantage to the Scotch people. He did not say that the machine had always worked smoothly. Want of familiarity with technicalities had necessarily occurred sometimes; and a too rapid assumption of what was the law of Scotland, or of its being identical with the law of England; but the jurisdiction had, on the whole, been so exercised as to give satisfaction to his countrymen. In the first place, it had enlarged their minds on legal questions, and prevented a sort of tendency to provincialism in the Courts of Scotland; and, in the second place, it had been of immense advantage in giving them sound principles of commercial law, this country being so much larger, and the transactions being so much more numerous. These results, however, would have been insufficient to redeem the anomalies on which the jurisdiction was founded, but for the great learning, ability, and conscientiousness of its administration. The only question was as to the admixture of Scotch Judges with English Judges in the new Court of Appeal. About 20 years ago there was a Committee on this subject, and it was then thought there would be some advantage from the admixture of the Scottish element. He must say that if this was to be the last Session in which this appeal was to exist to the House of Lords, he should certainly part with it with great regret; but to retain it for merely Scotch cases, was out of the question. The question was, what was to be put in its place? The noble and learned Lord had made the best of his materials with one exception, and that was that he certainly thought that it would have been of advantage to have at least one eminent

Judge from Scotland to sit *ex officio* in the First Division of the new Court. There was greater reason for this in the case of Scotland than there would be in the case of Ireland. He considered that there would be nothing more anomalous in appointing Scotch or Irish Judges on appeals from those countries than in appointing English Judges, and he reminded their Lordships that in the new Appellate Court there would not be the same safe-guards that there existed in this House. He, therefore, submitted that at least one Scotch Judge should have a seat in the Appellate Court. With the rest of the Bill, he entirely concurred. He requested his noble and learned Friend to re-consider this point, and see if he could not make a change in favour of Scotland in this respect. If this was deemed inexpedient, he approved the proposed First Division as likely, perhaps, to be as efficient a successor of that House as any Court which could be devised.

LORD O'HAGAN said, he had heard with satisfaction the lucid statement of his noble and learned Friends, and had nothing to object to a great many of the clauses of the Bill. He desired to say that the late Government had never contemplated the abolition of an intermediate Court of Appeal for Ireland, as had been erroneously asserted. Such a step would have involved a denial of justice to multitudes of suitors. The very small number of Irish appeals which came to the House of Lords by no means represented the Appellate business of Ireland. The cases disposed of were far more numerous, and would, probably, increase; and they were not often of such a character as to bear the costs of an appeal to an Imperial tribunal. It was, therefore, essential that the intermediate Court should be maintained. As to the Final Appeal, the profession, in Ireland generally—of course, with some exceptions—the Bench, the Bar, and the solicitors—would greatly prefer that it should be addressed to the House of Lords. They valued the time-honoured jurisdiction of that House, and they had conformed to its decisions, and would grieve to see it destroyed. But they felt that there ought to be only one final Court to regulate the system of law and practice which were common to England and Ireland; and if, ultimately, Parliament should establish a

new tribunal for England, they would accept it, however reluctantly, for Ireland also. The desire for adequate representation of the Scottish Bench in the Supreme Court, which had been expressed by his noble and learned Friends, existed equally in Ireland, and should receive attention and respect.

LORD DENMAN was understood to express his regret at the decision which had been arrived at by the Government, that the appellate jurisdiction of the House of Lords should be surrendered.

LORD PENZANCE said, that the Bill of last year swept away that second appeal which had existed in this country from time immemorial; but now the noble and learned Lord on the Woolsack had pointed out that it was this second appeal which gave consistency and standing to the law. He rejoiced, then, that his noble and learned Friend on the Woolsack proposed to amend the legislation of last Session by re-instituting a second appeal for English cases. If he had not done so the Courts of Judicature in the three countries would have been left in a state of hopeless anomaly. There would have been a second appeal for litigants in Scotland and in Ireland, and in England also for ecclesiastical causes; whilst as to the great bulk of English litigation, there would have been only one appeal. Since there was to be a second appeal, he would have hoped that it would have been retained to that House; and he greatly regretted that his noble and learned Friend had not availed himself of the opportunity thus afforded to him of proposing that the second and final appeal should, for the three countries, be to that House. They had just heard from a noble and learned Lord from Scotland, and a noble and learned Lord from Ireland, that the decision of appeals from those countries to the House of Lords had given satisfaction, and it had never been asserted that those decisions had been otherwise than satisfactory to the people of England. He was at a loss, therefore, to see why a jurisdiction which had been so well exercised from time immemorial should be now abolished. If so great a change were effected, he could not help thinking they would have drifted into it by reason of the anomalous legislation of last Session. With respect to the details of the measure, the subordinate

Court of Appeal was to consist of three Judges, and no appeal was to be allowed unless those Judges differed in opinion. But suppose they did not, and that they decided against a judgment pronounced, say, by three Judges of the Court of Queen's Bench, there would be an equality of opinion on each side—three Judges for the plaintiff and three for the defendant, and no power of further appeal. That, he thought, would not be a satisfactory state of things to an ultimate Court. Again, it might happen that two Divisions of the Court might give opposite judgments. Surely, in such a case, there ought to be an appeal. Further, the new Court of Appeal was to be constituted on a principle entirely new. The Judges were to sit on appeals for three years, and then go back to their Divisions. This would give rise to great inconvenience, because these Judges would leave the Appellate Court just as they were beginning thoroughly to comprehend their duties, and were becoming acquainted with the technicalities of Irish and Scotch law. There would, however, be ample opportunity of discussing these and other details of the measure.

LORD REDESDALE expressed his extreme regret that his noble and learned Friend in proposing to re-establish the right of a second appeal, had not also proposed that the ultimate appeal should be to that House. He was sorry that the opportunity for revising the decision of last year should be lost. As the Bill now stood, only in the event of the Judges of Appeal having some doubts among themselves was there to be a third hearing. The noble and learned Lord on the Woolsack, however, had now brought in a Bill which differed from that which was brought in by the noble and learned Lord opposite (Lord Selborne), permitting a re-hearing; but, at the same time, he did not determine what cases were to be re-heard. For his part, he could see no reason why the appeals from Scotland and Ireland should not be heard before that House. It had been said that the surrendering of the appellate jurisdiction of the House was inevitable; but he utterly repudiated the idea, which unfortunately was now so prevalent, that because a thing was mooted it was inevitable. Take the disestablishment and disendowment of the Irish Church, for instance; did

anyone suppose that the present House of Commons, elected as it was under the auspices of the late Premier, would ever have consented to such a proposition? Why, then, was it hastily assumed that such a change as that was inevitable? Measures hastily passed in that way were sure to be attended with regret, and he was satisfied that some day the surrender of their Lordships' appellate jurisdiction would come to be deplored.

LORD COLERIDGE said, he had not a word to say as to the provisions of the measure as far as they related to Ireland and Scotland, which were all that could be desired; but he objected to that part of the Bill which related to the restoration of intermediate appeal in this country. The existing state of things as regarded the Judges and the Court of Intermediate Appeal, though open to much objection had this great merit—that it did not subordinate any of the Superior Judges to any other of the Superior Judges, and in consequence every one of the Superior Judgeships was a post which in practice the very first men in the profession were ready and willing to undertake. The state of things to be introduced by the Judicature Act of last year, though having many great and, in his judgment, countervailing merits, was yet open to the objection that it for the first time introduced differences of rank and authority among the Superior Judges themselves—he was speaking as to the cases of the Judges of Common Law. The plan proposed last night by his noble and learned Friend on the Woolsack, if he understood it, introduced fresh distinctions and differences, not only, as did the Bill of last year, between the ordinary Superior Judges and the Judges of Appeal, but between the Judges of Appeal themselves. On this ground, so far as he could collect his noble and learned Friend's plan, it appeared to him to be open to objection.

THE LORD CHANCELLOR, in replying, said, he would refrain from discussing the various objections and suggestions which had been made in the course of the debate, but he desired to explain that his proposition by no means involved a "subordination" of certain of the Judges of the Court of Appeal to the others. All he proposed was that where necessary an appeal, after having

been heard before one of the smaller Divisions of the Court, might be re-heard before a larger Division of the same Court.

Bills severally read 1<sup>a</sup>; to be *printed*; and to be read 2<sup>a</sup> on *Tuesday*, the 19<sup>th</sup> *instant*.

## BILLS OF HEALTH IN FRENCH PORTS.

### QUESTION.

LORD HOUGHTON asked the Minister for Foreign Affairs, Whether he could induce the French Government to cease to require clean bills of health from ships entering French ports from England, the fear of the existence of Asiatic cholera in this country having subsided?

THE EARL OF DERBY: No remonstrance or representation has been addressed to me upon the subject to which my noble Friend has referred since I have been connected with the management of Foreign Affairs. British subjects, when they find themselves aggrieved or inconvenienced by the action of foreign Governments, are not in general backward in appealing to the Foreign Office. All I can say is, that if any representation should be addressed to me I will give it careful attention.

House adjourned at Eight o'clock,  
till To-morrow, Half past  
Ten o'clock.

## HOUSE OF COMMONS,

*Thursday, 7th May, 1874.*

MINUTES.]—NEW WRIT ISSUED—*For Mayo*, v. Thomas Tighe, esquire, and George Eakins Browne, esquire, void Election; *for Dudley*, v. Henry Brinsley Sheridan, esquire, void Election.

NEW MEMBER SWORN—Thomas Kemp Sanderson, esquire, *for Wakefield*.

SELECT COMMITTEE—Jury System (Ireland), Mr. Synan *discharged*, Sir Colman O'Loughlen *added*.

SUPPLY—considered in Committee—ASHANTEE EXPEDITION—NAVY ESTIMATES—R.P.

PUBLIC BILLS—Ordered—First Reading—Poor Law Guardians (Ireland) \* [95].

Second Reading—Gas Orders Confirmation \* [94].

Select Committee—Metropolitan Buildings and Management \* [3], *nominated*; Municipal Privileges (Ireland) [33], Mr. Power *added*.

Third Reading— (£13,000,000) Consolidated Fund \*, and *passed*.

## CONTROVERTED ELECTIONS—COUNTY OF MAYO.

MR. SPEAKER informed the House, that he had received from Mr. Justice Monahan, one of the Judges selected for the Trial of Election Petitions, pursuant to the Parliamentary Elections Act, 1868, a Certificate of the Court. And the same was read, to the effect that—

In the matter of the Petition of Sir George Clendinning O'Donel, Petitioner; and George Eakins Browne, esq., Thomas Tighe, esq., and Joseph Pratt, esq., Respondents, the Court determined "that the Returning Officer was wrong in rejecting Petitioner's demand for a poll to which he was entitled, and in declaring George Eakins Browne and Thomas Tighe, esquires, as duly elected Members for the County of Mayo.

"Accordingly the Court doth determine and hereby certify to the Right Honorable the Speaker of the House of Commons that the said Election for the County of Mayo was null and void."

## ARMY—CAVALRY HORSES.

### QUESTION.

COLONEL LEIGH asked the Secretary of State for War, Whether power may be given to commanding officers of cavalry regiments to order, on their own responsibility, the immediate sale of dangerously vicious troop horses; or, should that not be considered advisable, to give directions to inspecting officers to cast every horse reported to them as dangerously vicious?

MR. STANLEY, in reply, said, it was held to be unnecessary to give to commanding officers power on their own responsibility to order the immediate sale of dangerously vicious horses. Under the Queen's Regulations commanding officers could apply to the War Office on the subject through the proper channel, and, on the approval of the Secretary of State, such horses could be sold. It was not thought expedient to alter the existing system.

## POOR LAW—CASE OF THE WOMAN DAY.—QUESTIONS.

DR. LUSH asked the President of the Local Government Board, If his attention has been called to the circumstances detailed at an inquest held by the coroner of Hants upon the body of a labourer's wife named Day, in the parish of Lasham, in the Alton Union; whether he will insist upon the immediate appointment of a Medical Officer of Health for that Union; and, whether



he will cause a full inquiry to take place as to the carrying out of sanitary inspection there as directed by the Public Health Act of 1872?

MR. DIXON asked the President of the Local Government Board, whether his attention has been called to the depositions and verdict respecting the death of Mary Day, of Lasham, Hampshire; and, whether it is true, as is alleged, that her death was "accelerated by her exposure and wretched condition, which were the consequence of the want of proper and efficient sanitary supervision and inspection;" and, if so, what steps he proposes to take in the matter?

MR. SCLATER-BOTH: Sir, my attention has been called to the peculiar circumstances attending the death of the wife of a labourer in the Alton Union, and, before Notice of this Question had been given, inquiry had been made of the Alton Guardians upon the subject, and the inspector of the district had also been directed to investigate the circumstances. The deceased and her husband were remarkable people, of settlement unknown, who are said to have lived for many years in different parts of the country in some such habitation as that in which the woman died, the man always in good work, and known to have earned regular wages on different farms in the district. The result of the inquiries fails to fix any special blame upon the sanitary authority or its officers. It is true that there has been no appointment of Medical Officer of Health in this particular district, because the Guardians have not been able to come to terms with the person they wished to appoint, but they will be required to proceed immediately to do so. As to the Inspector of Nuisances, it would have been undoubtedly his duty to report the case as one of a dwelling unfit for human habitation had he been aware of its existence; but the situation of the place being more than a mile away from the village and far from any public road, it is easy to understand that, in the absence of special information, he was not aware of it. He appears, moreover, to be doing his work very well, and an examination of his books proves that cases of over-crowded dwellings have been reported by him and dealt with on his report by the Guardians, and that in one particular case a hut like the one in which the death now in

question occurred has been cleared out in consequence, and its inhabitants removed. The reply of the Guardians bears testimony to the generally excellent character and conduct of the relieving officer of the district; but on this occasion he undoubtedly was in error when he refused to give an order for the parish doctor at a time when it was not in his power, from pressure of other business, to visit the case and ascertain the facts immediately. This statement of their opinion will be communicated by the Local Government Board to the Guardians and relieving officer accordingly.

#### PARLIAMENTARY ELECTIONS ACT, 1868.

##### QUESTION.

SIR CHARLES W. DILKE asked the First Lord of the Treasury, Whether it is the intention of Her Majesty's Government to deal with the Law of Election Petitions or of corrupt practices otherwise than by a continuance of the present Acts?

MR. DISRAELI: No, Sir, we propose merely to continue the present Acts.

#### INTOXICATING LIQUORS BILL— LEGISLATION.—QUESTION.

MR. COGAN asked the Chief Secretary for Ireland, Whether it is the intention of the Government to take steps to amend the Licensing Act so as to restore to Borough Magistrates in Ireland the power to adjudicate in cases of drunkenness, and to apply the fines inflicted for these offences to local purposes, as hitherto they were empowered under the Towns Improvement Act of 1854?

SIR MICHAEL HICKS-BEACH, in reply, said, that it had not been his intention to make any such proposal in the Clauses which it would be his duty to place upon the Paper for insertion in the Bill recently laid before the House by his right hon. Friend the Secretary of State for the Home Department. The question was one of some difficulty. Those fines had hitherto been employed for the very useful purpose of increasing the salaries of the Clerks of Petty Sessions, many of whom were very poorly paid. He would, however, consider the matter, and he hoped to be able to submit to the House some proposals which would be satisfactory.

## HIGHWAYS—LEGISLATION.

## QUESTION.

LORD GEORGE CAVENDISH asked the President of the Local Government Board, Whether it is the intention of the Government to bring in a Bill this Session for the better maintenance of Highways in England and Wales?

MR. SOLATER-BOOTH, in reply, said, that it was not the intention of the Government to bring in a Bill for that purpose this Session; but he hoped it might be in his power to make some proposal on the subject next year.

## THE CIVIL SERVICE.—QUESTION.

MR. HANKEY, with reference to a Letter of the 3rd December 1873, from Mr. Lyon Playfair to the Lords of the Treasury, and printed in the Appropriation Accounts of Civil Service and Revenue Accounts for the year ending 31st March 1873, on page 409, asked the Secretary to the Treasury, Whether his attention has been directed to the statement of Mr. Lyon Playfair, that if their

"Lordships should decide that the Order in Council" (referring to Civil Service Examinations) "cannot be departed from, I should advise that, instead of introducing an inconvenient and costly plan which will have the effect of converting a large body of temporary servants into a permanent body, that an exemption to the general rule should be made by amendment of the Order in Council;"

and, if so, whether he is prepared to obtain an alteration in the present Orders in Council?

MR. W. H. SMITH, in reply, said, that the whole subject of the organization of the public service was under consideration by a Commission, of which the right hon. Member for Edinburgh University (Mr. Lyon Playfair) was Chairman, and therefore he did not feel at liberty to express any opinion on this Question of the hon. Member.

## CUSTOMS—OUT-DOOR OFFICERS' MEMORIAL.—QUESTION.

MR. GRIEVE asked, Mr. Chancellor of the Exchequer, If he has fully considered Memorials to the Treasury from Outdoor Officers of Customs at the various outports, praying to be placed on the same footing as the clerks, regarding back pay from 1870; and also if he has

considered Memorials from Outdoor Officers at the outports asking to be placed on the same footing as the same officials at Liverpool as regards salary?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I have not fully considered the Memorials, because we have referred them to the Board of Customs, which has not yet reported. The Memorials are in their hands; and after we have received them and the Report of the Board of Customs, they shall be taken into full consideration. It has always been the custom to pay officers at Liverpool somewhat higher, but not very much, in consequence of the large amount of business which is transacted there. I have not the figures here before me—but they come to this—that while half of all the Customs' business is done in London, about half the remainder, or two-ninths of the whole, is done at Liverpool. It will not be possible, therefore, to put all the out-door officers at the outports in the same position as those at Liverpool, but any advance which may be made in the case of Liverpool officers will extend in proportion to those of the other outports.

## FOREIGN AFFAIRS—DIPLOMATIC RELATIONS WITH MEXICO.

## QUESTION.

MR. ANDERSON asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government has considered the expediency of resuming diplomatic relations with Mexico (suspended since the death of the Emperor Maximilian); and, whether he is prepared to inform the House what decision has been come to?

MR. BOURKE: Sir, the question has been and is under the consideration of Her Majesty's Government. Her Majesty's Government are willing and desirous that those relations should be resumed, and they will be prepared to receive favourably any overtures that may be made with that object by the Government of Mexico. No such overture has been made up to the present date.

## MERCANTILE MARINE—PASSENGER SHIPS.—QUESTION.

MR. COWPER-TEMPLE asked the President of the Board of Trade, Whether any steps have been taken to re-

quire passenger ships to carry a number of boats, rafts, or other appliances for saving life, sufficient for the persons carried on board each ship?

SIR CHARLES ADDERLEY: Sir, the question of compelling large passenger ships with numerous passengers to carry boats sufficient for all the persons on board has been frequently considered by the Emigration Commissioners and by the Board of Trade. But it is impossible; because there is not room for such boats, and because by encumbering the decks they would render the safe working of the ship impracticable. Further, even the boats now required are seldom found to be practically available in those cases of wreck in which they are most required. No rafts or other appliances for saving life have yet been discovered which would be practically available; and attempted contrivances might lead to more lives being lost by needlessly leaving a ship, than to any increase of lives being saved in real emergencies.

#### METROPOLIS—SEWERS AT THE WEST END.—QUESTION.

SIR CHARLES RUSSELL asked the Chairman of the Metropolitan Board of Works, If anything is being done to mitigate the offensive smells proceeding from the drains at the West End?

COLONEL HOGG: In reply, Sir, to the Question of my hon. and gallant Friend, I can assure him that the nuisance of which he complains does not proceed in any way from the sewers under the control of the Metropolitan Board of Works, who are charged with the care of the main sewers only, and have nothing whatever to do with the local ones, or with the care of the roadways of the metropolis. I believe that inquiries are being made by the local authorities concerned into the causes of the nuisance to which he refers, and that steps are being taken to remove, if possible, the grounds of complaint.

#### WEIGHTS AND MEASURES—LEGISLATION.—QUESTION.

MR. SAMPSON LLOYD asked the President of the Board of Trade, Whether it is the intention of Her Majesty's Government to legislate during this Session on the whole Law of Weights and Measures; and, whether it is prepared to

remove all obstacles to the use of Metric Weights and Measures?

SIR CHARLES ADDERLEY: I hope, Sir, that the Judge Advocate, who was one of the Royal Commissioners appointed to inquire into this subject, will be able to introduce a Bill for the verification of the standards this Session, but not dealing with the use of the metric system.

#### TREATY OF WASHINGTON—THE THREE RULES.—QUESTION.

MR. MONTAGU SCOTT (for Sir HENRY WOLFF), asked the Under Secretary of State for Foreign Affairs, What steps have been taken to carry out the stipulation contained in the Sixth Article of the Treaty of Washington, "to bring to the knowledge of other Maritime Powers and to invite them to accede" to the three Rules contained in the said Article; whether the Government of Her Majesty and the Government of the United States are agreed as to the interpretation of this engagement; and as to the terms of the invitation to be so addressed; and, whether Her Majesty's Government will communicate to the House any Correspondence that has taken place on the subject?

MR. BOURKE: Sir, some Correspondence has passed between Her Majesty's late Government and the Government of the United States on the subject of the Sixth Article of the Treaty of Washington. There will be no objection to lay it on the Table of the House. Since the present Administration came into office no overture has been received from the Government of the United States on the matter, and no steps have been taken to invite the other Maritime Powers to accede to the Three Rules.

#### SCIENCE AND ART—DR. SCHLIEMANN'S ANTIQUITIES FROM THE TROAD. QUESTION.

MR. E. STANHOPE asked the First Lord of the Treasury, Whether Her Majesty's Government intends to propose a Vote for the purpose of acquiring for the British Museum, any part of the interesting collection of antiquities formed by Dr. Schliemann during his recent excavations in the Troad?

MR. DISRAELI: Sir, I have considered the subject to which my hon.

Friend's Question refers, and, as at present advised, I am not prepared to propose any Vote to Parliament on the subject.

#### ASHANTEE WAR—THE GARRISON AT PRAHSU.—QUESTION.

MR. W. JOHNSTON asked the Secretary of State for War, Whether four officers have been left at Prahsu in command of a garrison of 100 men without medical assistance; and, if so, how long and for what purpose this force is to remain?

MR. STANLEY, in reply, said, he had ascertained from Sir Garnet Wolseley that it was his intention, had he remained on the West Coast of Africa, to withdraw as soon as possible all the White troops from the interior, leaving 100 Houssas, under command of native officers, at Prahsu, and also 50 natives at Mansu. Sir Garnet Wolseley, on retiring as he did in a hurry from the country, left a message informing Colonel Maxwell, who succeeded him, what his intention had been in this respect, and a letter had been received from Colonel Maxwell, stating that steps had been taken to carry out the arrangement. With native troops, commanded by native officers, the presence of a European medical officer was unnecessary at Prahsu.

#### INTOXICATING LIQUORS BILL.

##### QUESTION.

MR. BROGDEN asked the Secretary of State for the Home Department, Whether he has any objection to lay before the House Copies of the letter or letters to the Magistrates of the Country respecting the operation of the Licensing Act?

SIR HENRY SELWIN-IBBETSON, in reply, said, that there had been some Correspondence with the police superintendents, with whom the Home Office had on a former occasion corresponded on the subject. The answers received in reply to the letter written were of a confidential character; but he should have no objection to show them to the hon. Member if he would call at the Home Office, though he did not think it advisable to lay them on the Table.

MR. MELLY expressed a hope that the same courtesy would be extended to him by permitting him to see this Correspondence.

SIR HENRY SELWIN IBBETSON said, he would have no objection if the hon. Member would call at the Home Office. The only reason why he did not lay the Correspondence on the Table was that it was exceedingly voluminous and partly confidential.

#### BOARD OF TRADE (RAILWAY DEPARTMENT)—CAPTAIN TYLER.

##### QUESTION.

MR. GOLDSMID asked the President of the Board of Trade, Whether the statement which has appeared in "The Times" is correct, that Captain Tyler, one of the Inspectors of Railways under the Board of Trade, is going to America for the purpose of examining into and reporting to certain City firms upon the condition and financial prospects of the Erie Railway; and, whether he is undertaking this employment with the sanction of the President of the Board of Trade?

SIR CHARLES ADDERLEY: Sir, Captain Tyler is going on leave for two months, after two years' duty without taking any. I believe he intends spending his time on leave in the manner supposed in the Question; but it is entirely a private arrangement of his own, without any official character.

MR. GOLDSMID said, in consequence of the reply of the right hon. Gentleman, he should put some Questions on going into Committee of Supply, in order to enable the House to express its opinion on the subject.

#### MONASTIC AND CONVENTUAL INSTITUTIONS.—QUESTIONS.

MR. NEWDEGATE asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government will consent to the Address relating to the Laws, Ordinances, &c. in force in Foreign Countries with respect to Monastic and Conventual Institutions, of which Notice has been given, on the understanding that the Documents requested by the Address are such as have been published in the Countries to which they relate, and would be furnished in several cases by extracts from the general Codes of Law in force in those Countries, provided such extracts comprise all that in such Codes applies to the subjects of the Notice?



MR. BOURKE: We will endeavour, Sir, to obtain the information mentioned in the Question of my hon. Friend through our Diplomatic Representatives abroad, and place the Documents in the Library of the House; but, as it is probable that the information will be voluminous, we must ask to be allowed to suspend our judgment for the present with regard to its being printed or presented to the House. Under these circumstances, my hon. Friend will probably think it unnecessary to move the Address of which he has given Notice.

MR. NEWDEGATE asked the right hon. and learned Member for Clare County whether he intended to oppose the Motion?

SIR COLMAN O'LOGHLEN, who had a Notice of an Amendment on the Paper, that the Address should not be agreed to, said, he certainly should move it.

MR. NEWDEGATE said, in that case, he should postpone his Motion until the 2nd of June.

#### PARLIAMENT—ISSUE OF NEW WRITS. OBSERVATIONS. QUESTION.

MR. ROEBUCK said, he wished to call the attention of the Speaker and of the right hon. Gentleman the Prime Minister to a new Rule making an alteration in the moving of Writs for the election of Members of the House. It was that in a case in which a Report had been made by a Judge who had sat on the trial of an Election Petition, certain Notice should be given before a Motion was made for the issue of a New Writ. Such Notice of Motion was put upon the Notice Paper as an ordinary Notice of Motion, and one consequence of this was if it were opposed it could not come on after half-past 12 o'clock; and owing to the difficulty of bringing on Motions before half-past 12 the issue of a Writ might be postponed for weeks, and even months, until the end of the Session. He wished to ask the Speaker, Whether an hon. Member could move a Writ in a case of this sort at the hour at which Writs were usually moved for; and, if not, he wished to ask the Prime Minister whether the Rule ought not to be altered? The question was one which was of infinite interest and importance to the House, as the issue of a Writ affected its constitution; and, if

Motions of this sort were in the position which was supposed, the House would probably think that something ought to be done to bring these Motions before the House at a time when there was a full attendance, and when they could be more satisfactorily dealt with.

MR. SPEAKER: The House is aware that Motions for New Writs are treated as Motions of Privilege, and take precedence of Motions on Public Business; but lately the House passed a Resolution which the House will permit me to read to them. It is—

“That, where any Election has been declared void, under the Parliamentary Elections Act of 1868, and the Judge has reported that any person has been guilty of bribery and corrupt practices, no Motion for the issuing of a new Writ shall be made without two days' previous notice being given in the Votes.”

A Resolution in similar terms to that has been passed from time to time by this House. There are several instances of such Resolutions having been passed since 1848, and it is my duty to state to the House that, in obedience to, and in pursuance of, those Resolutions, the practice of the House has been always to treat Motions made subject to such Resolutions, not as Motions having privilege, but as ordinary Motions. There are several instances of Motions for New Writs being made under these circumstances, and they have always been treated as ordinary Motions, having no title to precedence as Privilege Motions. It has, therefore, been my duty to place the Motions which stand on the Paper to-night for New Writs as ordinary Motions. At the same time, I am bound to observe to the House that when those Resolutions to which I have adverted were passed, there was no Resolution standing on the Journals of the House which precluded our taking Opposed Business after half-past 12 o'clock. With that Resolution in force the House is placed under new circumstances with regard to the issuing of a Writ. If Opposed Business is not to be taken after half-past 12 o'clock it is plain that if Notice be given of an Amendment to the Motion for the issue of a New Writ, and if that Motion should not come on until after half-past 12, it would be my duty in obedience to the Resolution of the House, to stop that Motion.

MR. DISRAELI: Both sides of the House will, I think, agree that no undue

obstacle should be offered to the issue of a New Writ. I may say I think the position of affairs with respect to the issue of New Writs is not satisfactory, and that the Sessional Order which we agreed to the other night may operate as a very undue obstacle to the issue of Writs. The matter shall be considered by Her Majesty's Government; but in the meantime, what we want is an immediate remedy. All I can say is, so far as the Government is concerned, they will give every facility in their power to these Motions for the issue of New Writs.

MR. ANDERSON, as the mover of the Sessional Order referred to, wished to say that it applied only where there had been bribery and corrupt practices. It would not, therefore, act as an improper obstacle to the issuing of New Writs in cases where there had been no bribery or corrupt practices. Where there had been, there ought to be an obstacle to the issue of New Writs, and where there had not, the declaration of the Prime Minister that the Government would offer no obstacle to the issue of New Writs would meet the case. The Rule was a satisfactory one, and it might be left as it stood until the beginning of next Session.

MR. WHITBREAD recommended that in cases in which a Motion was to be opposed on the merits, it should be moved that the Orders of the Day should be postponed until after the Motion for the Writ was considered.

MR. W. M. TORRENS presumed it was open to any hon. Member to move that Motions with respect to the issue of Writs should have precedence of the Orders of the Day.

In reply, to Sir CHARLES W. DILKE,

LORD KENSINGTON said, he should move that evening for a New Writ to be issued for Dudley, as the Motion was unopposed. He should move for New Writs for Stroud to-morrow.

MR. W. M. TORRENS gave Notice that he should move to-morrow that the Motion for New Writs for Stroud should have precedence of the Orders of the Day.

#### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

#### NAVY—UNARMoured AND IRON-CLAD SHIPS.—RESOLUTION.

SIR JOHN HAY, in rising to move—

"That, in the opinion of this House, it is undesirable to incur expense to build Unarmoured Ships of a speed of less than ten knots, and that it is expedient that the money appropriated to their construction be applied to the necessary repairs of the Iron-clad Ships of the Navy,"

said, that his right hon. Friend the First Lord of the Admiralty had shown by the Supplementary Estimates he had laid upon the Table that he was anxious to place our iron-clads upon a proper footing, both as to numbers and efficiency. What he wished to urge upon him and upon the House was that the £50,000, which was the sum proposed to be applied for the completion of the light unarmoured vessels now in progress, would be much better applied to the repairs of the iron-clads. The vessels to which he referred were constructed to steam at the rate of nine and a-half or 10 knots an hour at the measured mile; but everyone knew that the estimated speed might be taken at least at a knot an hour less, in actual practice, under ordinary circumstances. The use of these vessels was to harass, destroy, and capture an enemy's commerce. There were, however, very few merchant vessels of any nation which did not attain a greater speed. These vessels would occasionally have to escape from the large ships of the enemy, but these also attained a very much higher speed. It was alleged that vessels of this class and draught of water could not attain a greater speed, and that to make them swifter would be very costly; but it would be better to go back to the paddle-wheel vessels of former days, which did attain a speed of 11 and 12 knots an hour with a similar draught of water. Twelve vessels of the three smaller classes were in the present Estimates, and he trusted that the First Lord of the Admiralty would stop the building of those which were not too far advanced, and apply the money towards completing the iron-clad fleet, which was the basis of our naval superiority, and upon which we must rely for defensive warfare. Iron-clads could not be got ready in less than two or three years; but there would be no difficulty in improvising out of our Mercantile Marine any number of light vessels to harass an

enemy's commerce if guns and ammunition were forthcoming. He did not say that the Admiralty ought not to possess vessels to perform these duties; but, as there was nowhere a desire to increase the Navy Estimates largely, and as the completion of the iron-clad fleet was at present our most pressing want, he trusted the First Lord would apply as much as possible of the £50,000 proposed to be voted for these 12 ships towards the completion of the armoured ships. He wished to express his entire concurrence in the opinion expressed by the hon. Member for Pembroke (Mr. E. J. Reed)—that we could not have an efficient Navy for £10,000,000 a-year. They could have no higher authority on that subject. Where we formerly spent £100 in the maintenance and repair of a ship it would now be necessary to spend £170, and the £2,000,000 a-year formerly applied to the maintenance and repairs of the fleet must in future be raised to £3,400,000. If this Estimate were correct, the House must expect to find the Navy Estimates increased from £10,000,000 a-year to £11,500,000. Seeing, however, that the House spent £14,000,000 on the Army, he did not believe that £11,500,000 would be grudged by the country to maintain the Navy, which was our first line of defence and our protection in every sea. He also thought that the £45,000 asked for lengthening the transport *Orontes* ought to be applied to the building of our iron-clads, because in an emergency we could always hire transports. In conclusion, he begged to move the Resolution of which he had given Notice.

ADMIRAL ELLIOT, in seconding the Amendment, expressed his entire concurrence in every word which had fallen from his right hon. Friend with respect to the uselessness of these slow-going vessels, which had no fighting qualifications as a set-off to their want of speed. In fact, he would go farther, and say that ships built to maintain an estimated speed of nine and a-half knots an hour would not in ordinary use attain a speed of more than eight knots. When hon. Members knew that a boat on the Thames the other day attained a speed of 20 miles an hour, the Admiralty ought to go to any expense to attain greater speed for a small description of cruisers, instead of going on building

unarmoured vessels of the three smaller classes, which would be sure to be captured by the enemy and to catch nothing themselves. There were hardly any vessels on the ocean, under steam, with so small a speed as eight knots an hour. With whatever nation we might be at war, it was certain that they would equip their fastest vessels as privateers. If, on the commencement of a winter's day, when they could command only eight hours of daylight, one of these vessels sighted a ship at a distance of 12 miles, she must have a superior speed of nearly two miles an hour in order to overtake the ship she pursued before dark, when escape would easily be effected, and in summer even, when the days were longer, her speed must be considerably superior. If we desired to have vessels that would effectually protect our commerce in war time, they must be vessels of great speed, and in peace time one such vessel would perform the same duty, and, in many cases, perform it more effectually, than half-a-dozen or a dozen smaller vessels of inferior swiftness. Upon one point, however, he differed from the right hon. and gallant Baronet below him (Sir John Hay), for, so far from thinking that we ought to go on building fresh armour-clads, his belief was that the days of armour-clads were fast approaching an end. His opinion was one which he had held ever since 1861, and he had stated it publicly in a Report drawn up by himself and a brother officer, Admiral Ryder, in 1871. When he spoke of armour-clads, he meant vessels with vertical or side armour. If he were right in his conjecture, we should then have the pleasing prospect of being able to build our first line of defence at a far less expense than we were doing now. He did not wish to be misunderstood. He did not mean that armour plates would not be used, but that they would not be used on the sides of vessels as at present, the cost of which, as the House knew, was very great. This opinion had lately been supported by the present Chief Constructor of the Navy, who had said that in the last ship they had designed—the *Inflexible*—they had come to the utmost limit of thickness of armour plates which they conceived it possible for a war ship to carry as side armour. If that were so, and such guns as the *Inflexible* would carry could penetrate her own armour,

*Sir John Hay*

this, he believed, was sufficient to show that the system of armoured ship-building was exploded.

**Amendment proposed,**

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is undesirable to incur expense to build Unarmoured Ships of a speed of less than ten knots, and that it is expedient that the money appropriated to their construction be applied to the necessary repairs of the Ironclad Ships of the Navy,"—(*Sir John Hay*),

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. E. J. REED observed that, inasmuch as the Mover of the Amendment thought it desirable that we should increase our armoured shipbuilding, and its Seconder thought we should cease all work in that direction, it might be desirable to give the Resolution some further consideration. When he first saw the terms of the Motion he was under the impression that it was a very proper one, because he thought he saw in the large number of the small unarmoured vessels which were being built a tendency to some extravagance in that direction. But it was really only fair to say that the cause of these small unarmoured vessels being built was the demand of the naval members of the Board of Admiralty for them. During the whole period he had the honour of serving at the Admiralty, the Senior Sea Lords felt it was very desirable to have an increased number of small vessels, and it was only proper to add to that consideration the fact that they could not have very small vessels of great speed. There were different classes of small vessels, and the speed increased with the increase in their size. There were vessels of 270 tons which were very slow, going only a little over nine knots an hour on the measured mile, and probably about six or seven knots at sea. Above these there was another class, that of 450 tons, with a speed of 11 knots at the measured mile, and nine or 10 knots at sea. Then came vessels of 930 tons, with a speed at the measured mile of 13 knots, the practical speed of which would be about 11 or 12 knots; and next a class of vessels of 2,000 tons, which were to have a measured mile speed of 15 knots, and a

probable practical speed of 13 or 14 knots. The first proposition he wished to lay down was that it was in the nature of the case that if they were to have small vessels of war they must have slow vessels. Such vessels as the steel one recently built for the Indian Government were very remarkable vessels; but they were built of extremely thin steel—so thin, indeed, that no man could step on board without an apprehension that his foot might slip through if he was not careful. Their machinery was of a very delicate description, their engines running at the enormous speed of about 600 revolutions per minute; and if they were laden with cargo they lost their speed. These vessels had no sort of analogy whatever to the ships built for Her Majesty's service on foreign stations, which had to carry an armament with supplies of ammunition shot and shell; a crew with six months' provisions; sea stores; masts and rigging, and so forth. It was therefore undesirable that the House should think they could be at all applicable to the service of the Navy except as torpedo vessels. Although the small unarmoured vessels of the Navy which they were discussing were to carry guns, it must not be supposed that they were built with the primary object of making war with the war ships of other nations. Our naval service on foreign stations comprised many duties which had nothing whatever to do with war, and yet which must be performed by armed representatives of the country, such as going up rivers and into harbours, and to out-of-the-way places. He had no doubt the right hon. Gentleman the First Lord of the Admiralty would bear him out in this—that these vessels were not built with the primary object of making war, but for the purpose of carrying on the necessary service of the country at distant stations. The hon. and gallant Gentleman opposite (Admiral Elliot) in discussing this subject had led them on to the question of our armoured and unarmoured ships, and had enunciated an opinion to the effect not that armour would some day come to an end, but that the days of armour-clads were already numbered. He (Mr. Reed) did not at all believe the days of armour-clads were numbered, and for this reason—because he thought the House would consider the subject over very seriously



before they determined to send our officers and men to sea on the top of a steam boiler and powder magazine without any protection whatever. It was not an exaggeration to call an unarmoured ship a construction of that nature. The hulls were mere envelopes carrying those dangerous articles, and they ought to be protected. The Admiralty had done wisely in adopting armour and in increasing its thickness, and he did not think that even in the case of the *Infleible* they had arrived at an end. Our armour-clad Navy was, to a great extent, proof against all the guns yet afloat in the other Navies of the world. This superiority was due entirely to the fact that we had continued to increase the thickness of the armour, and to add to the power of the guns. The hon. Member for the Tower Hamlets (Mr. Samuda) laid down the other night the doctrine that we ought to have a system of shipbuilding and stick to it. Well, the French had tried this. Their system consisted of two parts. In the first place, their iron-clad ships were built in wood; and, in the second place, a number of ships were to be built all alike. The consequence was that the French ships had not progressed to anything like the same extent as ours, and two or three ships in the British Navy were perfectly capable of beating all the ships built for the French Navy during the period when this principle was being carried out. What we should do was to build the very best vessels we could, and if we did that we need have no fear of the competition of other countries. He congratulated the Admiralty on one point. It had been stated that the wooden ships had gone rapidly to decay. He was glad to hear that there were to be no more wooden ships, believing that iron vessels could perform all the services that were required from such vessels. In conclusion, he hoped the right hon. and gallant Baronet (Sir John Hay) would not press his Amendment if the First Lord of the Admiralty would give the House an assurance that next year he would, in framing the Estimates, give due regard to his views.

SIR WILLIAM EDMONSTONE said, that, notwithstanding the opinion of such a scientific and excellent authority as the hon. Member for Pembroke (Mr. E. J. Reed), he did not hesitate to say that he was one of those who thought

that nothing but sheer necessity could justify the gigantic and costly iron-clads now being constructed, with regard to the thickness of the armour of which there appeared to be no limit. Of course, if other nations possessed such ships, we must have them also; but if the armour went on increasing in thickness it would, like the armour of ancient times, become intolerable. He quite agreed that they could not build small vessels capable of high speed, and thought that in the Royal Navy every vessel, great or small, which went abroad should be prepared for war as well as for peace. He quite concurred in the opinions of his right hon. and gallant Friend (Sir John Hay).

SIR WILLIAM HARCOURT remarked that unprofessional men, ignorant of these questions, must necessarily be extremely puzzled by the diversity of opinion among the hon. Gentlemen who ought to instruct them. First of all the right hon. and gallant Gentleman who brought forward the Amendment (Sir John Hay) and who was one of the greatest authorities on naval matters in the House, had expressed his opinion that no unarmoured vessels under a certain speed should be built. He was happy to think, however, that the First Lord of the Admiralty had not yet become a convert to the right hon. and gallant Admiral's doctrine, that we should spend £11,500,000, instead of £10,000,000, which was about the amount of the present Estimates. The First Lord had given them Supplementary Estimates for a ruined Navy—Estimates to replace a "paper fleet," and yet they only included an addition of £55,000 for Dockyards, of which £47,000 were for workmen's wages; £5,000 for repairing a ship as a depot ship at Hong Kong, which could hardly establish our European influence, and £3,000 for repairing a tug at Chatham. But the right hon. and gallant Baronet wanted £1,500,000 to build great iron-clads and fast unarmoured vessels, and he was seconded by another great naval authority, the hon. and gallant Member for Chatham (Admiral Elliot) in reference to the speed of unarmoured vessels; but the hon. and gallant Member belonged to the school of pessimists, and thought there should be no more armour vessels.

ADMIRAL ELLIOT explained that he referred only to the side armour.

SIR WILLIAM HARCOURT remarked that if the armour were placed at the top or the bottom of a ship, it would be just as expensive as if it were affixed to the sides.

ADMIRAL ELLIOT said, he had in his speech referred to a Report wherein his opinion was fully expressed as to where he should place the armour.

SIR WILLIAM HARCOURT offered his condolence to the first Lord of the Admiralty on the contradictory character of advice given to him by the professional Members. The pessimists only agreed in one thing—that we had no Navy—and entirely disagreed as to the way in which we should obtain one. He (Sir William Harcourt) must assume, on his own part, entire ignorance of the subject. Before the right hon. and gallant Baronet the Member for Stamford would persuade the English people to spend £1,500,000 in building unarmoured ships to replace its paper fleet, which was to be repaired at an expense of £55,000, he must come to some agreement with the hon. and gallant Admirals near him, and with the hon. Member for Pembroke (Mr. E. J. Reed), who, although not in the Royal Navy, was one of the greatest naval authorities in the country, as to what those vessels ought to be. When the House was called upon to embark in this great expenditure would it not be fair, candid, and honest to admit that the people supposed to be the greatest authorities on the subject did not know what it was on which we ought to spend the money. It was not fair to assume that those who were economists were opposed to our Navy being kept up at a proper strength. Economists knew that true economy required that the security of the English nation should be provided for, and that the way to insure that security was for us to have a Navy, not only supreme, but overwhelmingly supreme, in the world. He would not be unwilling to vote any sum of money necessary for that purpose. But all parties must be guided in this matter by responsible professional opinion. It was not to be expected that the present First Lord of the Admiralty would come up from Northamptonshire and out of his own inner consciousness evolve a complete naval policy. Of course he had, like every other First Lord, to rely upon the professional advice he received from those he found at the Admiralty.

But, unfortunately, the counsels at the Admiralty were as much divided as they were in the House of Commons, and whatever policy was adopted with regard to the Navy, one side or the other was certain to condemn. A document drawn up by Sir Spencer Robinson, one of the greatest naval authorities in the country, had just been published. He (Sir William Harcourt) said nothing of his discretion in publishing it; but Sir Spencer Robinson had given the country an insight into the manner in which the Admiralty was managed. He himself had always been of opinion that of all reforms needed in this country, administrative reform was the first—and his opinion had been much strengthened by Sir Spencer Robinson's Report which had just been published. That Paper gave a history of what had happened at the Admiralty under three Administrations and under four First Lords. Sir Spencer Robinson pointed out that in 1866 a certain naval programme was proposed by the Duke of Somerset, which the next Government under Lord Derby were not satisfied with, but brought in an amended programme which was laid before Parliament. The programme of 1867 was not carried out, revised Estimates being brought forward in May of that year, proposing an entirely different scheme. He was aware that in the meantime there had been a new First Lord of the Admiralty; but that only showed that the policy of the Department changed not only with a new Government, but with every fresh person that became the head of it. Thus in 1867 there were three separate Estimates prepared, founded upon three different schemes, and yet that was the period which the House were asked to look upon as furnishing an example of a perfect Admiralty administration. The number of men in the Dockyards proposed for 1866-7 was 18,618; in 1867-8, 18,321; in 1868-9, 15,272; and in 1869-70, 14,142. So far, therefore, from its being the political necessities of the Government which pressed this policy on their professional advisers, it was their professional advisers which pressed it on the Government. It appeared, then, that just before the outbreak of the Franco - German War Sir, Spencer Robinson recommended a great reduction of the number of men in the Dockyards—from 18,618, the number em-

ployed in the time of the Duke of Somerset; from 15,272, the number employed in the time of Mr. Corry; from 14,142, the number employed under the administration of the right hon. Gentleman the member for Pontefract (Mr. Childers) down to 11,276. That number, Sir Spencer Robinson believed, would be sufficient to do the work of our Dockyards and maintain our Navy in a proper state for a first-rate maritime Power; and if a man like Sir Spencer Robinson gave such advice to the Admiralty, what was the Admiralty to do? Was the Admiralty to ask for more than they were thus advised would be necessary? Was the House of Commons to vote more, and the nation to pay more, than the official advisers of the Admiralty considered to be necessary for us as a first-rate maritime Power? Sir Spencer Robinson, reviewing the history of the Dockyards for several years, said—

“The sudden expansions and reductions which the last few years have witnessed all point to a want of system in regulating this part of Naval administration. These expansions and reductions have occasioned great distress, and have been far from promoting economical results. On considering the question in all its bearings, I am convinced that an expenditure of about 2½ millions is amply sufficient for the real wants of the country relative to ships and dockyards, both with reference to structure and to maintenance, and that it would be dangerous and disadvantageous to reduce our normal expenditure below that amount.”

But the figure now was £3,381,339. He was quite aware there had been an increase of wages and an increase in the prices of coal, iron, and other things; but he was informed £500,000 would cover all that. He came now to something which did not vary—11,000 men employed in the Dockyards would do the same amount of work now as they did then; and yet 14,000 men were taken in the Estimates, or 4,000 more than the number recommended by Sir Spencer Robinson in 1870, as amply sufficient to maintain England as a first-rate maritime Power. He would be reminded that the Report from which he quoted was not the only Paper from Sir Spencer Robinson, and that another had been presented that morning on the Motion of the right hon. and gallant Gentleman (Sir John Hay). But that Paper strongly confirmed Sir Spencer Robinson's former opinions. It had been said that it was the political necessities of the late Government which brought about the re-

ductions; but that argument could hardly be sustained when it was remembered that the reductions were recommended by a man like Sir Spencer Robinson, who was not supposed to be a political officer, but was, as he said himself, one of the persons responsible for giving sound professional advice to the First Lord. With regard to the closing of Woolwich Dockyard, Sir Spencer Robinson said that no employers of labour ever acted with greater consideration for their workmen. He further stated that he believed the reforms of the Dockyards in 1869 had been very satisfactory, and he hoped no obstacles would prevent those beneficial changes from being carried out as opportunity offered. Sir Spencer Robinson recommended that the permanent Dockyard staff, which stood at 18,000 in 1866, should be reduced to 11,000 as the normal Establishment in 1870. For 1870-71, Sir Spencer Robinson recommended the employment of 450 more men in shipbuilding, and of 3,375 fewer men in maintenance and repairs. He said, we were in a position to do it, because a thorough understanding had been arrived at as to the wooden ships it was necessary to repair and maintain, and it was resolved not to spend a single sixpence on obsolete ships which could be avoided; great economy would result from that plan, the labour being applied more to the new type of ships, and less to the repair of those obsolete ships which in former years had been a fathomless gulf of expenditure. The late First Lord, therefore, acted on the recommendation of the most competent adviser in reducing the permanent Dockyard staff—advice which he could not disregard. What would the House have said, if the Admiralty had not acted on that advice? It would have turned round on him and said—“the Controller of the Navy advised you that we could do with a less number of men, and that advice has been disregarded.” The question of the number of men in the Dockyards was re-considered on the outbreak of the war between France and Germany, and it was proposed to have 12,000. Then, there was some dispute between Sir Spencer Robinson and the Admiralty as to whether the number should be 12,000, or, as he recommended, 13,500. Was the aspect of affairs more formidable in 1874 than it was in 1870? The power of France was then unbroken, and

the ships which had become obsolete since were more than compensated for by those which had been launched. [Admiral ELLIOT: Are they sea-going ships?] Those he struck out of the list as decayed were not all sea-going ships, and he was comparing the total strength of the British Navy this year with what it was in 1870. He submitted it was stronger now than it was then; and if we were satisfied with 10,000 men in 1870, why should we not be content with that number now? He believed France had launched no ship since 1870, and for six or seven of our vessels that were decayed, there were probably nine or ten of the French Navy which had become useless. We need be under no apprehension as regarded the French Navy. He supposed no one contemplated a combination against us of the French and German Navies, and the only other possible combination was that of Germany and Russia. What we required, while we relied on such men as Sir Spencer Robinson, was that consistent plans should be sketched and consistent advice given to the Admiralty—not so much consistency of opinion in the First Lord as consistency of opinion on the part of those who advised the Admiralty. He despaired of ever having the Navy in such a state as to get an Admiral in that House to admit that we had one. It was as difficult to get an Admiral to acknowledge that we had a Navy as to get a General to admit that we had an efficient Army, or a farmer that he ever had a crop. But if the gallant Admirals would only satisfy the House that the Navy was inefficient, there was no amount of money they would not vote to make it efficient. If the hon. and gallant Admiral opposite (Admiral Elliot) would inform the House where the ships were to be found which would match and overcome those of which he had read, he would have no difficulty in getting the £1,500,000 which the right hon. and gallant Member for Stamford (Sir John Hay) predicted we should have to pay next year. He held in his hand a list of ships such as the fleets of the whole world united could not equal, ship for ship. The *Hercules*, *Sultan*, *Monarch*, the *Audacious*, the *Invincible*, the *Iron Duke*, the *Swiftsure*, the *Triumph*, the *Vanguard*, the *Bellerophon*, the *Albion*, the *Agincourt*, the *Northumberland*, the *Minotaur*, the *Warrior*, the

*Achilles*, the *Black Prince*, the *Pallas*, the *Penelope*, the *Favorite*, the *Defence*, the *Resistance*, the *Valiant*, and the *Repulse*—these were sea-going vessels—he asked the hon. and gallant Admiral, could the sea-going iron-clads in the whole world, ship to ship, compete with them? Whether the *Devastation*, *Thunderer*, *Rupert*, and *Hector*, were sea-going or coast defence vessels, where were the foreign vessels afloat to compare with them? And so of the *Cyclops* and the *Glatton*. Where were the three fleets in the world to match the English fleet? If it were said that other countries were building, had not we resources for building too? What country had such resources as we had in the new Extension Works at Chatham, Portsmouth, and Plymouth? What country had such private building yards as the hon. Member for Birkenhead (Mr. Laird) and half-a-dozen other builders? We could build ten vessels against one that any other nation in the world could build. England was the metropolis of iron and coal, and could build better and cheaper than any other Power in the world. He would ask whether we had not ships better than any one, or two, or three Navies in the world?

SIR JOHN HAY observed, that there were three ships in the world more powerful than any which we possessed.

SIR WILLIAM HARCOURT did not imagine that because a nation had one ship more powerful than all others, it therefore had the strongest Navy. After all, nothing could be more consolatory to the House of Commons or satisfactory to the country than the character of the Supplementary Estimates for the Navy, for they would satisfy the country that a "paper fleet of dummy ships" could be replaced by an efficient one at the moderate cost of £40,000.

CAPTAIN G. PRICE said, he did not profess to know exactly what occurred behind the scenes at the Admiralty; but he supposed they did not go to their advisers and ask what money should be spent, or what number of men should be employed. They would rather say to their advisers—"Here is the sum of money which the country is willing to give, and you must not go beyond it." In the Papers which had just been placed in the hands of Members, Sir Spencer Robinson wrote, in April, 1871, he did not profess to say that in his judgment



sufficient provision had been made for the wants of a great naval Power like this, but only that the work to be done could not be done with fewer hands. He would not follow the hon. and learned Gentleman (Sir William Harcourt) into the comparison he had made of our Navy with that of other Powers; but he believed that the sea service iron-clads of England amounted to three less than the combined force of France and Russia. Of coast defence vessels those countries had 50 per cent more than ourselves. We had 15, and he believed they had 24. Of gunboats, a very useful class of vessels, we had 25, while the combined Powers of France and Russia had 74. Of men we had 60,000, while they had 74,000. Of reserve we had but 11,000, whereas France alone had 130,000. His hon. and gallant Friend (Admiral Elliot) was, he thought, justified in saying that the days of side-armoured ships were drawing to a close. The hon. Member for Pembroke (Mr. E. J. Reed) said that our armour on the sides of vessels had attained such a thickness that no other guns but our own would penetrate them. If that were the case, an enemy would try to pierce our vessels either through the deck or the bottom. No one would say it was possible to have 20 inches of armour either on the deck or the bottom, and thus his hon. and gallant Friend was justified in his assertion. The hon. Member for Pembroke had represented him as having stated in a previous debate that the *Devastation* was not a match for a gunboat or a steam launch. He had, on the contrary, expressly classed her among the sea-going vessels. What he said was, that under certain conditions of accidents, such as torpedoes, she might only be a match for the vessels alluded to. Sir Spencer Robinson had doubted the wisdom of building vessels of the new *Monarch* and *Fury* type, which might by a torpedo be rendered *hors de combat* at one blow, and which were not likely to be available for service for three years. He did not agree with Sir Spencer Robinson in thinking that new *Monarchs* and *Furies* were, therefore, useless. He only said that we ought to have more of them, and that there should be others to replace them. Our great aim should be not only to have more powerful vessels, but more numerous by 10 or 20 per cent than the Navies of any two

*Captain G. Price*

other countries likely to combine against us. In former days we had 30 or 40 line-of-battle ships in a fleet; now we might have from 10 to 12 first-class iron-clads, and an accident from torpedoes or otherwise to three or four of them would be a serious matter. No doubt it would be an advantage to have small vessels attaining a speed of even 10 knots an hour; but it would be highly advisable, considering the present state of the Navy in other respects, that the building of such vessels should be postponed, and that the money that might be voted for them should be applied to the construction of armoured ships.

LORD HENRY SCOTT said, he thought that the remarks of his hon. and learned Friend the Member for the City of Oxford (Sir William Harcourt) had, unfortunately, led the House away from the Motion that was before it—namely, the speed that should be given to gunboats of a certain class. If the Correspondence which his hon. and learned Friend had commented upon at such length was to be brought before the House, he thought it should have been done after due Notice, as it was manifestly inconvenient that it should be discussed when the last Paper in connection with that subject had only been delivered this morning; but his hon. and learned Friend had done more than cause inconvenience. He had not quoted those passages in the last Correspondence which did not so well suit his case; he referred particularly to the strongly expressed opinion of Sir Spencer Robinson, who, at page 14, said—

“Either the shipbuilding programme will not be fulfilled, or if that be adhered to faithfully, the maintaining programme will fall far short of the necessities of the service—the work contemplated will certainly not be performed.”

[Sir WILLIAM HARCOURT rose to explain that he had quoted from page 14.] He (Lord Henry Scott) said, that his hon. and learned Friend had done so in quoting some paragraphs higher up in that page, but not that which he had just mentioned. This only showed how inconvenient such an irregular discussion was. However, turning to the main question before the House, his hon. and learned Friend had tried to show that his hon. and gallant Friends on this side of the House were all of different minds on the subject of the best class of ships

to be constructed; but, in reality, their views were not so divergent as had been represented. They would, probably, find all their views, to a certain degree, developed in the new vessel—the *Inflexible*—where, in some manner, the reserve of buoyancy required was attempted to be secured in the manner recommended by the hon. and gallant Admiral the Member for Chatham (Admiral Elliot), and the iron plating for the protection of the guns, favoured by the hon. and gallant Member for Stamford (Sir John Hay), preserved. Anyone who had read attentively the Report of the Committee on Designs of Ships of War, could observe that it was their opinion, in the words of that Report, that the time had come when the “gun would assert its final and definitive superiority over the armour-plating.” Whereas, it was certain that “no ship of war of manageable size could carry plating of a greater thickness than 24 inches.” This opinion was now realized, for the *Devastation* herself was not proof against the guns she herself carried. It was a fact that guns of a larger calibre than those carried by the *Devastation* were being made by ourselves and other nations. These guns could only be carried amidships on a platform or turret; and, such being the case, he regretted that the late First Lord of the Admiralty had not carried out the one unanimous recommendation of the Committee of Designs, to ascertain, by means of experiments, on a sufficient scale, in which way a reserve of buoyancy could be obtained by other means than armour-plating. Especially, as in answer to an inquiry last Session from himself, he had held out what was equivalent to a promise, that this should be done. The same might be said as to the *Cyclops*, where the recommendations of the Committee had not been carried into effect, and these vessels were now, as stated by the Committee, in a state which only enabled them to go with safety from port to port in “favourable weather.” Turning to the Motion before the House, he had confidence in those who administered the Admiralty, that means could be devised to give a greater speed than was proposed to vessels of the small gunboat class, and he felt certain that his right hon. Friend the First Lord of the Admiralty would give his attention to the points raised in this debate, and endeavour to remedy the de-

fects that had been pointed out in the condition of the Navy.

MR. HUNT said, that after the speech of his hon. and learned Friend opposite (Sir William Harcourt), it would be necessary for him to call the attention of the House to the exact issue before it. The Amendment under consideration was—

“That it is undesirable to incur expense to build Unarmoured Ships of less than ten knots, and that it is expedient that the money appropriated to their construction be applied to the necessary repairs of the Iron-clad Ships of the Navy.”

He was not above receiving assistance from any hon. Member of the House; but though he had listened with great attention to the able and amusing speech of his hon. and learned Friend—all his speeches were able and amusing—he did not find that it contributed anything practical to the question at issue. His hon. and learned Friend had enlarged on the advice tendered to his right hon. Friend the Member for Pontefract (Mr. Childers) by Sir Spencer Robinson, then Controller of the Navy. The other night he remarked that, before we could judge how far his right hon. Friend could throw on the Controller the responsibility of the reductions he made, we ought to be informed how far the Controller had been inspired by his right hon. Friend when he placed that Paper before him. He hoped, however, that this was a bygone controversy. His hon. and learned Friend seemed to throw some doubt on the discretion he (Mr. Hunt) exercised in allowing that Paper to be produced. Well, as far as his own wishes were concerned, he should have been glad if it had not been printed for the use of hon. Members. It must be remembered, however, that he had been making an attack on the policy of his predecessors in regard to the reductions they had effected. He had attempted to show that the economy they professed to have carried out had not resulted, or would not eventually result, in a real saving to the country, and when his right hon. Friend came to him and said he thought the Paper ought to be produced in his own justification, it was difficult for him not to assent to its production. But he must ask hon. Members to read that document in the light of other communications from Sir Spencer Robinson which were now in the pos-

session of the House. His hon. and learned Friend, following the course taken by his right hon. Friend the Member for Pontefract (Mr. Childers) the other night, had challenged the House to say that the fleet of this country was not equal to fight any nation or all the nations in the world. When this subject was last before the House he stated that he must decline to enter in that House into a comparison of our Navy with those of foreign countries. He always lamented when such comparisons were drawn in the House, and he thought it was not desirable that a responsible Minister of the Crown should go into details respecting the relative power and perfection, or imperfection of foreign ships. He considered the question at the Admiralty with his confidential advisers; but he could not enter into it on the present occasion. When his hon. and learned Friend praised certain ships as being those with which he would meet the Navies of the world, he could hardly have studied the Papers laid before the House by his hon. Friend the Secretary to the Admiralty (Mr. A. F. Egerton), showing the state of some of the ships enumerated in the list which his hon. and learned Friend had read so proudly. In fact, his statement was subject to a good deal of abatement, as some of the vessels would not be ready for a year or more.

SIR WILLIAM HARCOURT: Only three of them are postponed till 1875—namely, the *Minotaur*, the *Black Prince*, and another.

MR. HUNT said, he thought that was no inconsiderable reduction in the number he had mentioned. The hon. Member for Pembroke (Mr. E. J. Reed), whose knowledge and experience made him an authority who ought to be looked up to with respect, seemed to think he was wrong in having acquiesced to a certain extent in the suggestion of the hon. Member for the Tower Hamlets (Mr. Samuda) in reference to having a scheme for the Navy. His idea, however, was not that for a certain number of years we should build a certain number of vessels of a particular class, but that we should endeavour to have a scheme which would give us a succession of ships, to take the place of those which were obliged to come in for repairs. His hon. and learned Friend, with that light sarcasm which the House knew so

well, had cast some ridicule on the propositions made by the Supplementary Estimate which was necessary in order to make good the deficiencies he pointed out that night. According to his hon. and learned Friend, £47,000 was put down for wages of workmen, and with this sum, he remarked, Government was going to supply the place of dummy ships. No doubt, this was an amusing way of stating the matter; but perhaps he could put it in a different light. His opponents alleged that he had condemned all the ships in the Navy as dummies, and the whole fleet as a paper fleet. This was not a fair representation of his statement, as the expressions referred to must be taken in connection with a previous statement in detail of the condition of the iron-clad fleet. Having made that statement, he pointed out that there were a number of ships not worth repairing, and said he never would have a fleet on paper, and would not be content with "dummy" ships, and to that statement he still adhered. If our iron-clad Navy was put down at 55, he said that number existed only on paper, and if he added he would not have dummy ships he asserted now that some of those 55 were dummy ships. He also said that everything counted as forming part of the effective strength of our Navy must under his administration be an effective ship and not a dummy ship. When his observations were fully and fairly considered nothing would be found in them to justify the extreme indignation of those who contested his position. He did not say that the number of our iron-clad ships should be 55; but what he did say was that you should strike off all those which were not efficient, which were obsolete, and which were not in repair, and then you could say what the strength of your iron-clad fleet really was. It had been his intention not to go into the Supplementary Estimates until the Speaker had left the Chair; but after the observations which had been made on the other side it might be convenient if he were to glance at them now. It had been assumed by his hon. and learned Friend (Sir William Harcourt) and also by the hon. Member for Reading (Mr. Shaw Lefevre) the other night that the Supplementary Estimates he thought it necessary to bring forward would be the measure of the deficiencies of the late Government

*Mr. Hunt*

with regard to the Navy. That would be quite a wrong view of the case. It should be remembered that in the Navy nothing could be improvised. That was a very old maxim, and therefore if he were to ask for millions, as the right hon. Gentleman (Mr. Goschen) said he was bound to do according to his view of the case, he should not know how to spend them in the course of the present year. He never said that we had no ships, and that our Navy had been left in a disastrous condition. What he had said was, that no proper provision had been made for a succession of ships, and it was to make such provision that he asked for an increased Vote. His view was that we ought to accelerate the ships we had now in hand, so as to get them ready early to take the place of those which would come in for repairs, and that we might have the means of replacing some of the dummies he mentioned the other night. He never thought a larger sum than that which he asked would be required this year. When his right hon. Friend the Chancellor of the Exchequer framed his Budget he was fully prepared for the expenditure that was now demanded. The matter had been carefully considered by his Colleagues as well as himself, for he had informed them of the state in which he found the Navy. The Estimates which he was submitting to the House were nearly of the amount which from the first he thought he should be obliged to ask them to vote in addition to the Estimates originally presented. He stated when he explained the Navy Estimates to the Committee that he was afraid it would be his duty to propose Supplementary Estimates, but that he felt greatly the responsibility of asking for anything more than his predecessor had deemed necessary, and he would examine the matter further. That was not the statement of a man who thought it would be necessary to spend extra millions on the Navy. His further examination resulted in the Supplementary Estimates which he had laid on the Table, the total amount of which was £150,000. His examination of the matter from the first when the financial scheme of the year was in contemplation pointed to £200,000, and further investigation, continued from that time until, as he might say, the last few hours, pointed to the same amount.

"Why, then," some one might say, "ask for only £150,000 when £200,000 was required?" The explanation was very simple. In consequence of the fall in the prices of some articles in the Store Vote, and advantageous contracts which the Admiralty had been able to make, he apprehended there would be a saving of £50,000 or a trifle more, and that with the sum he now asked would give him £200,000 to expend on shipbuilding more than was proposed in the original Estimates. That might appear a very small addition to make when compared with the total of £10,000,000 in the original Estimates. But compared with the sum for shipbuilding in the Dockyard Vote 6, and that part of Vote 10 which was applicable to machinery in ships, the addition was about 11 per cent. He was surprised the economical mind of his hon. and learned Friend was not staggered at the proposal to add 11 per cent to the money originally proposed, instead of ridiculing him for the small amount he asked for. After that expression of opinion, he expected he should have in his hon. and learned Friend a warm supporter of the addition he was now proposing to make. What he intended to do with the money placed at his disposal by the Chancellor of the Exchequer was to advance three of the iron-clads which were in the programme. The first was the *Shannon*. The programme proposed to advance the *Shannon* 1,145 tons, which added to 326 completed last year made 1,471. He proposed to have 250 additional men employed upon the vessel, and that would advance her by 628 tons, giving a total of 2,099, leaving only 271 to be completed the year after. The additional men, if continued until her completion, might be regarded as advancing the *Shannon* by about 12 months. He proposed to place 100 additional men on the work of the *Superb*, and that might be considered as advancing the ship, supposing we proceeded at the same rate, by three months. He intended to employ 200 more men on the *Inflexible*, the effect of which would be to advance the ship about six months beyond what was before contemplated. Then there were certain depôt ships which were out of repair, one at Hong Kong, which had been condemned as unfit for human habitation, and for which, as far as he was aware, no provision had been made



in the Estimates. There was also a dépôt ship required at Jamaica. Whether it would be necessary to supply both in the present year he was not quite prepared to say. He feared it would. But, at all events, something must be done to supply the place of the ship at Hong Kong. It was further proposed to take on about 100 men for the purpose of constructing new boilers at Keyham. Boilers were wearing out much faster than we thought they would, and it would be absolutely necessary that we should be prepared beforehand to replace them when they were worn out. Different views had been taken as to whether these boilers should be purchased from the private trade or constructed in our own Dockyards. We had workshops which were standing idle. Having workshops calculated for the construction of boilers, could it be economical to have them made by contractors who must charge interest upon the capital invested in their own workshops and machinery? He was told that 25 per cent would be saved by constructing them in our own Dockyards, and he was told we should also gain in quality. He proposed to take 150 men for this work.

MR. GOSCHEN asked how many men would be required for the dépôt ships at Hong Kong and Jamaica?

MR. HUNT was not prepared to say, because it had not yet been determined what vessels were to take the place of the dépôt ships. There were 550 men to be employed on the ships now in progress, and about 225 for the boilers and dépôt ships. That was only a rough estimate, because, until the ships were thoroughly examined, it would be impossible to determine upon the exact number of men required. Then came the question with regard to the tug at Chatham, which might seem a very contemptible matter to the soaring mind of his hon. and learned Friend the Member for Oxford (Sir William Harcourt); but when it was considered that a tug was the moving power to bring large ships in and out of harbour, it would be seen that if we had no such locomotive power the whole business of our Dockyards might be at a standstill. Although the sum was a small one, the question was not altogether a small one. He had received a representation from Malta to the effect that they had only one tug

available, and that if anything happened to her the whole business of the port might be stranded. It was originally proposed to take a sum for a tug at either Malta or Chatham, but he found that one at each place was wanted. These and the repairs to the dépôt ships constituted the demands he had spoken of as those he could not resist. He did not see how his predecessor had resisted them and wished he had not done so. For himself he could not be responsible for the consequences of a breakdown at Malta owing to the want of a tug. A sum of £55,000 was proposed for the wages of men in the Dockyards employed upon the objects he had named, but that did not represent the whole amount. It was quite clear that if we employed additional men they must require additional materials for their work; but by good fortune and by the good management of the officials he was glad to say he saw his way to save just the amount of money for materials for those men by savings on the Store Vote. The sum required for wages and materials was £105,000, or thereabouts—a little in excess of the sum which he proposed to expend upon work to be done by contract, which was £95,000. He believed it to be economical to lengthen the *Oronites*. He found that the normal requirements of the Transport Service were not satisfied by the number of troop-ships at our command, and the question arose whether we should utilize and improve what we had got, or go into the market and purchase or hire what we wanted. The history of the work done by the *Himalaya* in connection with the war on the Gold Coast, was exceedingly encouraging, and the gain to the country through owning that ship had been enormous. The cheapest plan was to have at our own command troop-ships for the transport of troops during ordinary years. We had not at present sufficient troop-ships. Four were required; but we had only two which were serviceable as the *Oronites* was out of the question, and a third for a few months, when it would require thorough repair. But if we were to have four serviceable troop-ships it was quite clear that we should require a fifth to take the place of one which might require repair. We had no such provision without hiring. It had been said that instead of altering the *Oronites* we should buy a vessel from the trade. Something

might be said for that view of the question; but he believed the purchase and sale of ships by the Government was very much like what they experienced in regard to the sale of horses. If they wanted to sell a horse they got very little for it, while, if they wished to purchase one, they had to give an exceedingly extravagant price. He thought it would be more economical to have the *Orontes* lengthened and her engines modernized in order to make her fit for service than to sell her.

MR. GOSCHEN asked the right hon. Gentleman to state what would be the cost of lengthening the *Orontes*?

MR. HUNT would rather not say, as the work was at present a subject of tender.

MR. SPEAKER said, that the Supplementary Estimates having been challenged, the right hon. Gentleman was justified in making a general statement in reply; but the discussion of the details was a matter for consideration in Committee of Supply.

MR. HUNT said he would reserve the explanation he was about to give for the Committee. He had stated what his views were with regard to the appropriation of the money he should ask the Committee to grant in order to put the Navy in a more satisfactory state than he thought it was at present. With respect to the comparatively small questions raised in regard to whether it was desirable to go on with certain gunboats which had less speed than 10 knots, he thought the hon. Member for Pembroke (Mr. E. J. Reed) had stated very fairly what was the true answer. The answer was that these gunboats were intended for certain special services. On the West Coast of Africa, at the West Indies, and in other places these gunboats had been found to be serviceable, particularly on account of their light draught and their speed; and as to their armament, it was sufficient for the purpose they were intended to serve. They were not designed for general fighting purposes, and, this being so, the arguments of his right hon. and gallant Friend (Sir John Hay) in regard to them did not apply. With regard to the Motion of his right hon. and gallant Friend, he almost accepted it, inasmuch as it was not intended to build any unarmoured vessels of less speed than 10 knots an hour. Three new gunboats were to be commenced by contract this

year. They would be either of the *Coquette* or the *Arab* class, with some improvements, and the speed would exceed 10 knots, the draught being 9 feet. Two vessels of a larger class—like the *Fantôme* or the *Magicienne*—were being constructed, and would also have a speed exceeding 10 knots. To have greater speed they must have a larger boat, and then came the question whether the draught would be light enough for the service these vessels had to perform? When Notice of the present Motion was given, it had greater force than now, for, with only the original Estimates before him, it was natural for his right hon. and gallant Friend to think that enough had not been done to advance the more important class of fighting ships, and to wish that the money proposed to be spent on the small gunboats should be laid out on the former. Government had to a certain extent fallen in with this view. His right hon. and gallant Friend had quite frightened him by talking about another £1,500,000 being devoted to the iron-clads, and in comparison with that view the proposition made by the Government must appear contemptibly small. He had, however, gone all the length he felt justified in going, and perhaps his right hon. and gallant Friend, admitting that there would be a very considerable addition made to the vessels of the class he favoured, would not be inclined to press his Motion.

MR. GOSCHEN said, he was very glad this Motion had been made, because it was of the greatest importance that no more money than was absolutely necessary should be spent upon any class of ships not of the best calibre. The efforts of the country had for some time past been so concentrated on the building of iron-clad ships that we had got into arrears with respect to unarmoured vessels, and he had felt it to be his duty to insert in his programme the construction of such ships as those described by his hon. Friend the Member for Pembroke (Mr. E. J. Reed). Those ships did admirable duty in every part of the world—in the waters of China, on the East African Coast, at Indian stations in connection with the suppression of piracy, and they had done good service on the West Coast of Africa. The House would see that it would be a sheer waste of power to send out large ships for these duties.

He wished, he might add, to repeat in the most emphatic manner the obligations under which he felt himself placed to his Naval advisers, who had most wisely and consistently supported him during the whole period of his tenure of office. As to the proposals of the right hon. Gentleman the First Lord of the Admiralty, he had that evening given the House a most ingenious explanation of what he meant when he spoke of certain ships in the Navy as dummies. If, however, he continued to describe ships under repair and not in the highest state of efficiency to be dummies or ships on paper, he believed he would not be able to realize the programme which he had sketched out. The late Board of Admiralty had pursued no exceptional course in placing on *The Navy List* ships which had not been absolutely struck off as inefficient, and he was sure some surprise would be felt at finding that the right hon. Gentleman meant so little, seeing that he had said so much. The right hon. Gentleman maintained that his statement on a previous occasion was plain and unvarnished; but the fact was it was obscure, for although he referred to a number of ships, he did not name the ships themselves, and had, in consequence, created a most erroneous impression. The proposal now submitted by the right hon. Gentleman to the House must, he would further observe, be taken as the measure of the shortcomings of the late Government; for, as the right hon. Gentleman had said, nothing could be improvised in the Navy, and it would therefore be his duty, if shortcomings existed, to remedy them as early as possible. The probability was the right hon. Gentleman intended to remedy those shortcomings next year on a much larger scale; though, if he had chosen to make greater efforts this year, nothing could have been easier for him than to have adopted that course. If the right hon. Gentleman had chosen, he could have taken on at least 500 more men at Chatham. Instead of putting 100 more men on the *Superb*, he could easily have put on 200, and also 200 or 300 more on the *Téméraire*. He thought the 550 more men asked for by the right hon. Gentleman were unnecessary, but what he was contending for was, that if the state of the Navy had been such as to require them to hurry on those ships, it would have been

possible to have made greater efforts in doing it. In all the Dockyards there was no difficulty in taking on men if the requisite wages were given. In the right hon. Gentleman's view it was sufficient, notwithstanding his description of the state of the Navy, to spend £50,000 more in advancing iron-clads in the Dockyards, and £50,000 in beginning two new iron-clads by contract. No additional money was asked for the repair of iron-clads, and a sum was taken which would be about enough for one-third of one first-class iron-clad. He was content, therefore, to leave the country to decide whether the proposals contained in those Estimates did or did not correspond with what was to have been inferred from the right hon. Gentleman's former speech. With regard to receiving ships, he did not approve of the policy of stationing those old ships at distant stations. It appeared to him that the money would be more usefully spent in sending out to Hong Kong a second class iron-clad, which, besides serving the purpose of a receiving ship, would add to the defences of the place. The late Board of Admiralty had been anxious always to avoid spending money on what he might call the administrative ships of the Navy, and to concentrate its efforts, as far as possible, on the actual fighting ships. With respect to the *Orontes*, the question with the late Government was between lengthening her and buying—not hiring—another ship. The *Himalaya* and several other vessels of her class which had been bought had turned out most satisfactory bargains. [Mr. HUNT: Did you take any money for buying a ship?] They had not thought it necessary to do so for that year. It was not advisable to hurry a purchase of that kind in the state of the market, unless a ship was urgently wanted, which was not the case in that instance. That was his answer to the right hon. Gentleman's interruption. Whether 1,000 tons, more or less, of iron-clads should be built or not in the year was entirely a matter for the House in Committee of Supply to consider, and when they got into Committee he hoped the House would pronounce an opinion upon it; but he was perfectly prepared to discuss the right hon. Gentleman's proposals fairly, without reference to any party considerations.

MR. BENTINCK, while willing to make every allowance for the difficult position of the present First Lord of the Admiralty, confessed that he should have been much more satisfied if that right hon. Gentleman had told them he was about to take more active steps than he now appeared to contemplate for remedying the unfortunate state in which his predecessors had left the Navy. He could only hope that next year the Government would deal with that question in a much more effectual manner. The right hon. Gentleman laid great stress on the word "we;" but it appeared the other night that his naval advisers made representations which he submitted to the Cabinet, and on their rejection of which he was content to remain in office.

MR. GOSCHEN: I have contradicted in the strongest terms that such a step had ever been taken.

MR. BENTINCK said, there had been no contradiction of the statement that the naval advisers of the Admiralty distinctly represented that the condition of the Navy was not what it ought to be; that the right hon. Gentleman submitted this to the Cabinet; and that no action was taken.

MR. GOSCHEN said, if he had not contradicted it before, he would contradict it now in the most decided manner.

MR. BENTINCK wished to know whether the statement was a complete fiction, and whether during the late Board's tenure of office no expression of opinion was given by the naval advisers that the condition of the Navy was unsatisfactory?

MR. GOSCHEN replied that this was a totally different statement. One statement was that the naval advisers simply made certain representations to the Admiralty; the other was that the Naval Lords made representations to himself, that he refused to act on his own responsibility, that he submitted them to the Cabinet, and that he remained in office without the representations having had any effect. The last statement, he had from the first flatly contradicted. His hon. Friend (Mr. Shaw Lefevre) also denied that any formal statement such as that alluded to had been made to him by his naval advisers as to the inefficiency of the Navy. His hon. Friend stated that there had been constant conversations in the intimacy of the relations between

himself and his advisers, but nothing more. It was hardly fair that when a statement had been denied, hon. Members were to be subjected to interrogatories in order to discover something perfectly different which might have occurred.

MR. BENTINCK entirely acquitted the right hon. Gentleman of any intention to deceive the House; but he (Mr. Bentinck) had been long enough in the House to know that official denials were often very misleading—and, without assuming for a moment that there had been any intention to deceive the House, he must repeat that the right hon. Gentleman's answer was not satisfactory. His belief, from what had been stated in debate, was that the naval advisers remonstrated with the late Board as to the condition of the Navy, and that those remonstrances were not acted upon—a great cause of mismanagement being the composition of the Board. The hon. and learned Member for Oxford (Sir William Harcourt) had ridiculed the idea of any possible combination of foreign Powers attacking this country, or of any possibility of finding ourselves in conflict with two large Powers. That, however, was a very unsafe assertion, as we could never tell what combinations might arise. Our foreign policy of late years had been to irritate and offend every country in Europe, whilst our home policy had been to denude ourselves of every means of offence and defence by which we could make ourselves respected. Europe was rife with causes of strife, yet we had only a Channel and, perhaps, a flying squadron, with no Naval Reserve to fall back on in case of casualty, and with an Army reduced almost to a minimum. This was a very unsafe position, when nobody could tell what iron-clads would do in action; and it was unwise to depend on private yards. He asked the House whether any amount of argument or sophistry could convince them that, considering the insular position of the country and its extended commerce, our naval defences were what they ought to be? The hon. and learned Member had complained of the constant changes of policy at the Board of Admiralty; but how was it possible, with the present composition of the Board, that there could be continuity of policy or system? The most important Department of the



Government was presided over by men who, although of distinguished ability, knew nothing of the business which they were called upon to undertake. The advice of high professional authorities, as the right hon. Gentleman opposite knew well, had been from motives of economy or otherwise disregarded.

MR. GOSCHEN said, he could not allow that statement to pass uncontradicted. The advice to which the hon. Gentleman referred had not been disregarded. He had been advised to add 800 men to the strength of the Navy, and that addition figured in the Estimates which he had prepared.

MR. BENTINCK said, he was obliged to the right hon. Gentleman for admitting that a representation had been made and acted upon. At last he had got at the truth, but it took a long time to extract it—["Oh, oh."]—not from any intention of the right hon. Gentleman to mislead the House, but owing to the tendency of official habits.

MR. GOSCHEN: I must rise to Order. The hon. Member speaks of official habits making it almost impossible to extract the truth. I submit that it is scarcely right in him to make such a statement. The hon. Member himself seems never to recollect the charges he makes, and drifts on from one to another.

MR. SPEAKER: I think the hon. Member was about to qualify his statement, and I trust that he will withdraw it.

MR. BENTINCK assured the right hon. Gentleman that he had not intended to impute anything which was at all derogatory to him, but he had just obtained from him an admission that certain representations had been made and acted upon.

MR. GOSCHEN: The same admission had been made the other evening by the hon. Member for Reading (Mr. Shaw Lefevre).

MR. BENTINCK: It was now quite clear that the impression he had formed was correct, and he gave the right hon. Gentleman credit for having in the first place acted upon the representation made to him, and then for having had the candour to admit it. The House had heard an elaborate defence of the conduct of the late Board of Admiralty; but what was the opinion of high autho-

rities upon that subject? Admiral Sir Spencer Robinson in September last published a letter in *The Times*, in which he said he believed that for the last two years the country had been deplorably administered in every Department of the State. He went on to say that "another year of such mal-administration would not only destroy the Liberal party, but be fraught with ruin to all the great interests of the country." Again he said, "There never was a case in which expenditure had so greatly increased, and efficiency had so much diminished," and he added, "As to the Navy, its management was simply deplorable." Those charges were publicly preferred in *The Times* by a high authority, and he left the right hon. Gentleman to deal with them as best he could. For his part he believed that until the House were prepared to introduce into the composition of the Board of Admiralty the first elements and rudiments of common sense by discontinuing the practice of putting at its head a man who, however able, knew nothing of the business he would have to deal with, all discussion in that House would be only so much time wasted. [*Ironical Cheers.*] The cheers that his last remark had elicited from hon. Gentlemen below the gangway on the opposite side, implied an indifference on their part on the present occasion to those principles of economy that they usually advocated with so much consistency. Unless the House of Commons took the subject in hand and altered the present system of Naval Administration, so long must the service be in peril and the resources of the country be year by year frittered away in useless expenditure—a consideration to which he especially invited the attention of those who sat below the gangway on the other side.

MR. GOURLEY entirely agreed with the first part of the Motion of the right hon. and gallant Gentleman (Sir John Hay), as in these days of steam it was no use to have vessels of a low rate of speed. He disagreed, however, with the second part of the Motion, because many of our iron-clads were obsolete, and were really of no more use than the old wooden ships, and consequently, in his opinion, no expense ought to be incurred in repairing them, unless to fit them for being used as swift cruisers with swivel turret-guns of the longest

range. At present, they were not only very slow, but they had no capacity for carrying fuel, and to lay out a large sum upon them would be mere waste of money. It would be a wiser policy, in his opinion, to build ships of modern type, able to steam not less than 17 or 18 knots an hour, and to arm them with heavy artillery. Those vessels, too, he would have constructed in compartments, so that if any one compartment should be blown up by a torpedo, the rest of the vessel might still remain intact.

SIR JOHN HAY said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn*.

#### RAILWAY ACCIDENTS — THE ROYAL COMMISSION.—RESOLUTION.

MR. SAMUELSON, in rising to call the attention of the House to the proposed appointment of a Royal Commission on Railway Accidents, and to move—

“That any inquiry into the causes of Accidents on Railways should include an investigation into the existence or otherwise of sufficient Railway accommodation in various districts for conveying the growing traffic of the Country with safety and economy, and into the means most advantageous to the public of supplying any deficiencies which may appear to exist,”

said, he had no wish to make the slightest charge against those who were engaged in the management of railways, and who performed their duties with an amount of intelligence and liberality equal to that which was exhibited in any other sphere of commercial enterprise. The replies which the various railway companies had sent to the Circular of the Board of Trade showed what efforts had been made by railway directors to secure greater safety, by the introduction of new signals and improved tire fastenings, and the substitution of steel for iron rails. Statistics had been brought forward to show that the number of passengers killed in proportion to the number carried on the various lines was less than formerly; but he would prove that the accidents were actually more frequent, and that they were generally attended with more serious consequences. During the half-year ending 31st December, 1873, accidents occurred on railways, attended with injuries to 934 persons, and with the deaths of 120. In

1854 there were 9,542 miles of railway opened in the country, and in 1872 there were 15,814 miles opened, or an increase of 65 per cent. During the same period, the amount paid in compensation for injuries to passengers and damage to goods had increased 300 per cent, as against an increased mileage of only 65 per cent. The number of collisions had increased from 85 in 1853, to 256 in 1872, which was upwards of 700 per cent; and this notwithstanding all the efforts of the companies to improve the means of conveying the traffic with safety. To what was this owing? It had been said to the want of punctuality; but what was the cause of the unpunctuality? It arose chiefly from this—that especially where the goods and mineral traffic was very extensive, the lines were over-crowded. How to remedy this was the question the Commission would have to investigate. If they found that the accidents which were so frequent and so much lamented arose from over-crowding the lines with traffic, the remedy must be adequate to remove this over-crowding. If not, it would be better to leave the matter in the hands of the Board of Trade. He referred to the evidence given before the Board of Trade inquiry relative to the accident near Bolton on the 15th of December, 1873, to show the over-crowded state of the line at the time the collision occurred. The accident occurred to the train due at 5.53 P.M. It was immediately preceded by a passenger train at 5.48; a goods train followed at 5.49, an express goods train at 5.53, another goods train at 5.58, and others at 6.1, 6.5, and 6.8. Instead of an interval of 10 minutes between each of these trains, according to the Company's regulations—that was, five minutes signals at “stop,” and five minutes at “caution”—there was only an interval of three or four minutes. The signalman who gave evidence on that occasion stated that if he had been on duty when the accident occurred, he could not have observed the rules, and must have done the best under the circumstances, just as the man did who was discharged. When he left his cabin for the purpose of giving his evidence, there were six trains shunting or waiting to shunt. On the Great Western line an accident happened on the 6th of February in the present year—when a

goods train ran into a passenger train—and 35 passengers were more or less injured. In that instance it appeared the goods train was 3 hours and 50 minutes late. It appeared by a letter in *The Times*, written by Mr. Markham, well acquainted with the state of traffic on that part of the Midland system; that at the Normanton station, during the autumn months, when the traffic was most considerable, the trains towards London on three days of the week were habitually from 40 to 60 minutes late in starting. It would be the duty of the Royal Commission to inquire whether the collisions arose from the overcrowded state of the different lines of railway; but he did not think that any inquiry conducted in Chambers in London would be effectual. If any real good was to be done, the Commissioners should make a survey of the country after the example of the Boundary Commissioners, and thus ensure a thorough investigation of the case. Up to the present time, there was between Lancaster and Carlisle only one single connecting link of railway upon which the whole of the through traffic converging at those two points from the network of English and Scotch railways, must be carried, and he had no doubt it would be found upon investigation that there were many similar instances where the traffic was, so to speak, strangled in a certain portion of the line. The question was, if this should be found to be the case, at whose expense was the additional accommodation to be provided? The Marquess of Salisbury had recently stated in “another place” that the real difficulty was that there was not time for the number of trains to keep apart, and the noble Marquess had further said that with due regard to the engagements entered into with the railway companies, Parliament could not ask them to undertake the gigantic enterprise of duplicating their tunnels or heavy bridges. He did not agree with that at all. If the companies wanted to retain the traffic, Parliament had a right to ask the companies to do all that was required to convey it safely. In the five years from 1867 to 1872, the net receipts of the railways had considerably increased. In 1867 they were £19,631,000. In 1872 they had grown to £26,958,000, being an increase of 37 per cent; while the expenditure on capital account in the same period

had only increased 13 per cent, so that the companies might have laid out £80,000,000 more than they did, and yet have got 5 per cent return on the whole of their outlay, and, assuming a future annual net increase of £1,500,000, they might get 5 per cent on an average annual outlay of £30,000,000. They could, therefore, afford to make these works themselves; under certain circumstances, they might be allowed loans from the public Exchequer at a rate of interest somewhat below what they would earn on their works, but in such cases certain concessions as to rates might be stipulated for. Those rates, more especially for minerals, were in some instances much in excess of those in France, Belgium, and Germany. If they refused to execute the works, the Imperial Government or local authorities should do so. He believed the Board of Trade had dormant powers which would induce the companies to do what was necessary, and the recently appointed Commission had, by the fact of its existence, induced the companies to remove many grievances in addition to those actually adjudicated upon, showing that if pressure were applied in the right way, much good could be obtained. But the Commission to be appointed should not consist of amateurs, but be composed of men practically acquainted with the working of the railway system, and who would not have to depend on the evidence given by railway officials. Otherwise, he repeated, the matter had better be left with the Board of Trade, who, he believed, were very far from having exhausted their legal powers. The hon. Gentleman concluded by moving his Resolution.

#### Amendment proposed,

To leave out from the word “That” to the end of the Question, in order to add the words “any inquiry into the causes of Accidents on Railways should include an investigation into the existence or otherwise of sufficient Railway accommodation in various districts for conveying the growing traffic of the Country with safety and economy, and into the means most advantageous to the public of supplying any deficiencies which may appear to exist,”—(*Mr. Samuelson*.)

—instead thereof.

Question proposed, “That the words proposed to be left out stand part of the Question.”

*Mr. Samuelson*

MR. BELL, as a director of one of the largest railway companies in the Kingdom, could assure the hon. Member for Banbury (Mr. Samuelson) that no impediment would be thrown by the railway interest in the way of this inquiry. The traffic in some cases had outgrown the powers of the companies to compete with; but he doubted if the Amendment would attain the object desired. As to loans, companies with little traffic did not require additional sidings and accommodation, while companies which did require them could not expect loans of public money for that purpose.

SIR CHARLES ADDERLEY said, he was glad the hon. Member for Banbury (Mr. Samuelson) had brought the subject forward, and he believed the Commission could be constituted in a way satisfactory both to the companies and the public. It should not attempt to do what the companies had not done for themselves; but it would investigate the causes of accidents, and with the most perfect good-will towards the companies would attempt to find out facilities for their doing what the public had a right to demand of them. The hon. Member thought that—

“Any inquiry into the causes of accidents on railways should include an investigation into the existence or otherwise of sufficient Railway accommodation in various districts for conveying the growing traffic of the Country with safety and economy, and into the means most advantageous to the public of supplying any deficiencies which might appear to exist,”

and asked that the Warrant to the Royal Commission should include those matters. It would be for the Commissioners themselves to interpret the terms of their Warrant; but, in his opinion, those matters would not only come within the terms, but would be of primary importance in the inquiry the Commissioners were to conduct. He agreed that the greater number of accidents were due to the enormous increase of traffic, and consequent over-crowding of the lines, and that doubling the lines would be their best preventive; but whether the suggestions of the hon. Member for Banbury for a remedy were feasible or not, it was not for him to say. No doubt further accommodation in the way of sidings, extra lines, and stations was required. He trusted, however, that the Commissioners would have the suggestions of the hon. Member laid

before them, and would give them due consideration. The hon. Member said that railways should be compelled to give increased accommodation where necessary. The fact was that many companies were doing a great deal to give such increased accommodation, but in some instances they had not the means of doing so. To meet the latter cases the hon. Member proposed a system of Exchequer loans to enable companies to construct the necessary works. While he refrained from expressing any opinion upon that point he must say he regarded it as incumbent upon the public to give all possible facilities to railway companies in that direction when the public put a demand upon them for works necessary for their convenience, and safety. The principal and novel suggestion of the hon. Member was that companies should be assisted out of local rates. This was rather an alarming proposition, and he did not see his way to its being carried out; but he admitted that there seemed to be a precedent in Ireland, where several railways had been made on the security of local rates. There was something similar in the United States. It was a question which might be brought before the Commission. The legislative powers over railway companies only related to facilities for traffic and impartiality of charges, and not to the safety of the public. He believed that the composition of the Commission would be satisfactory; but he hoped that they would not travel over matters that had been already fully inquired into, but confine their investigation to the subject of the causes and prevention of accidents, so far as the Lords' Committee on Lord De La Warr's Bill of last Session, and two previous enquiries of both Houses, and of Commissions had failed to complete it.

MR. ROBERTSON expressed a hope that the Commission would comprise men of sufficient practical knowledge to enable them to arrive at a proper conclusion on a question of so much importance, and that the question would be treated with a view to really practical results. It was no light matter to touch works which had cost £600,000,000. He did not deny that unpunctuality contributed to accidents; but every experienced manager of a railway would tell them that from a variety of causes unpunctuality was the normal state of our



railways. What had to be done, therefore, was to provide in the best way they could against any injurious results from that inevitable unpunctuality; and that might be done by improved brakes, the general introduction of the block system, improved modes of signalling, and other improvements. Many railway companies that were in a good financial position had, of their own accord, constructed additional lines to meet the requirements of their traffic. But what was to be done in the case of railway companies which paid no dividends?

MR. BENTINCK rose to address the House, but—

MR. GOLDSMID rose to Order. He said he should be very glad to hear what the hon. Member had to say; but he understood that the hon. Member had already spoken on the Question that "the Speaker do leave the Chair." He wished to know whether it was competent for him to again address the House?

MR. SPEAKER said, the Question now before the House was different from that on which the hon. Member for West Norfolk had previously spoken, and therefore he was at liberty to speak on the present question.

MR. BENTINCK said, he thought that the speech of the President of the Board of Trade would lead to great misconception in the country, or at least to a feeling of great regret as to the view of Her Majesty's Government upon the question of railway management. There was a strong conviction in the mind of the country that a large number of the accidents which had occurred within the last few years could have been prevented by the adoption of proper precautions, and that proper precautions would not be adopted except by the intervention of the Government of the day. He contended, therefore, that so long as the Government allowed the question to be dealt with by Committees and Commissions it neglected those duties which it was imperatively called upon to perform, and was responsible for these accidents.

Amendment, by leave, *withdrawn*.

*Mr. Robertson*

# CONTROVERTED ELECTIONS — THE GALWAY ELECTION PETITION—

MR. JUSTICE LAWSON.

## RESOLUTION.

SIR COLMAN O'LOGHLEN, in rising to call attention to the fact that the Petition against the Return of Mr. O'Donnell, one of the Members for the borough of Galway, has been set down for hearing at Galway on the 18th of May, before Mr. Justice Lawson, one of the Judges of the Court of Common Pleas in Ireland, who holds, during Her Majesty's pleasure, the office of one of the paid Commissioners of Church Temporalities in Ireland, and who is also, during Her Majesty's pleasure, one of the Lords Commissioners of the Great Seal in Ireland; and to move—

"That this House is of opinion that a Judge of one of Her Majesty's Superior Courts of Common Law, who may accept and hold an office at the pleasure of the Crown, should not, while holding such office, act as an Election Judge under the Parliamentary Elections Act, 1868,"

said, the answer of the Prime Minister to the Question which he put to him on Monday last was so unsatisfactory, that, however unpleasant it was to him, he had no other course but to take the opinion of the House on this subject. The question whether a Judge who held an office of honour or profit at the will of the Crown should discharge the duties of an Election Judge was of very great importance in a constitutional point of view. It was a novel question, and was in no way settled by the Election Petitions Act. The plan which had been adopted in that Act—namely, of referring Election Petitions to the Judges of the land, and of enabling a single Judge, without power of appeal, to decide on matters of fact as well as of law—was unanimously rejected by the House when it was proposed in 1833. In that year the whole matter was referred to a Committee composed of men of the highest standing in the House, and presided over by the late Mr. Charles Buller, and their Report, among other things, deprecated a depriving of our Courts of the immunity which they then possessed from any suspicion of political partialities by constituting them Election Petition Judges. It had, no doubt, been a great advantage, under the Act, to have local investigations in place of bringing all the parties to London to be examined before

Committees of the House; but, at the same time, the decisions of the Election Judges had in many cases been not altogether satisfactory. In Ireland, at all events, the feeling was universal that the Act had not worked well, and that some Amendment of its provisions was imperatively needed. There had been decisions of the most contradictory character given by the Judges presiding at the trial of different Election Petitions. They had witnessed the same Judge sitting in the borough of Galway deciding certain matters to be legal and constitutional which, sitting in the county of Galway, he had decided to be illegal and unconstitutional. The object of the Act had been to intrust the hearing of Election Petitions to Judges supposed to be perfectly independent of all political feeling, or of anything which might unduly influence them in their decision. Judges held their positions, not at the pleasure of the Crown, but during good behaviour; yet of late a practice had grown up which he was inclined to think was not at all constitutional of giving them, in addition, offices of emolument that were distinctly held at the pleasure of the Crown. This had been done in two cases in Ireland, and, if he was not mistaken, in one in England. Such a practice was at variance with the Act of Settlement, which clearly meant that Judges were to have fixed and ascertained salaries, and not to receive emoluments which the Crown might at any time stop. The position of Mr. Justice Lawson—of whom he wished to speak with the greatest respect—was very peculiar. He was one of the Judges of the Irish Court of Common Pleas, and, in addition, was one of the Commissioners for Church Temporalities under the Irish Church Disestablishment Act, which provided that the office of Commissioner should be held during Her Majesty's pleasure, and that the salary attached to it should not exceed £2,000 a-year. Moreover, he had lately been appointed by Her Majesty's Government one of the Lords Commissioners of the Great Seal in Ireland. The right hon. Gentleman at the head of the Government, in answering his Question the other day, truly stated that that was not an office of profit. It was, however, an office of high honour to which every member of the Bar would aspire,

and which gave the holder of it great power and authority. It would, no doubt, be said, because he objected to Mr. Justice Lawson hearing Election Petitions that he meant to impute to that learned Judge an inclination to act improperly because those two offices were held at the pleasure of the Crown. Nothing was further from his intention. He simply raised the Constitutional question, whether it was proper for a Judge who held such offices to decide, without appeal, questions of fact and law in connection with Election Petitions? Certainly it had been a disappointment to him that Mr. Justice Lawson, on the point being raised, did not himself arrange that Election Petitions would not come before him for trial. His retirement from the position of Election Judge would cause no difficulty, because there were only two or three Petitions to be tried, and they could easily be tried by the other Election Judges—Mr. Justice Barry and Mr. Baron Dowse. He wished to say a word or two about the Answer given the other night to his Question in regard to the office of a Lord Commissioner of the Great Seal. The right hon. Gentleman laid stress upon the fact that Mr. Justice Lawson was receiving no salary as Lord Commissioner of the Great Seal; but as one of the Commissioners of Church Temporalities in Ireland Mr. Justice Lawson was holding at the pleasure of the Crown an office worth £2,000 a-year. The right hon. Gentleman said that he did not cease to be a Common Law Judge because he acted as Commissioner of the Great Seal; but he (Sir Colman O'Loughlen) contended that as long as he held office at the pleasure of the Crown it was indecorous in him to sit as Election Judge, and that this interpretation was borne out by the words of the Act. If it was unconstitutional for a Peer who was a Judge to act as an Election Judge, it was equally unconstitutional for a Judge to act in that capacity who held office at the pleasure of the Crown. He made no imputation against Mr. Justice Lawson. He was peculiarly fortunate in having gained the approbation of every Government which had held office in Ireland during the last 10 years. He was made Solicitor General by Lord Palmerston, and Attorney General by Lord Russell. The first act of the late Prime Minister

was to make him Judge of the Common Pleas, and in the same year he was made Commissioner of Irish Church Temporalities. The first act of the present Government was to make him one of the Commissioners of the Great Seal. There was one gentleman who was designated by the universal feeling of Ireland as the Lord Chancellor; but the Government could not for the present spare him from this House, and they had on that account put the Great Seal in Ireland into Commission. The Government regarded Mr. Justice Lawson's consent to act as Commission as so important that they were said to have sent a special ambassador to him while on Circuit to ask him to accept the appointment. Before the Premier took this step, however, he should have recollected the Election Act of which he was the author, and if he had found upon inquiry that Mr. Justice Lawson was one of the Election Judges for the year, he ought not to have offered him the Commissionership of the Great Seal. A re-action had gone on lately in favour of the Conservative party in England. That re-action had not been so marked in Ireland, and in the North of Ireland some of the most cherished strongholds of the Conservative party had been won from them for the first time in the history of Ireland. He could understand, therefore, why the Prime Minister wished Mr. Justice Lawson to accept this appointment. He wished, no doubt, to show that there was a Conservative reaction in Ireland, and what could show it better than the fact that Mr. Justice Lawson had consented to take office under him. The principle that a Judge should be independent, and that he should have no interest in any case brought before him had often been upheld, and never with greater solemnity than in a case in which Lord Cottenham as Lord Chancellor gave a judgment affecting some canal or other company in which he was a shareholder. No one, for a moment, could imagine that Lord Cottenham could have been, in the slightest degree, affected in the discharge of his judicial duties by the fact of his being a shareholder in the company which had the litigation before him, and yet his judgment was pronounced by the House of Lords, on appeal, to be void. The same principle was equally applicable to an Election Judge, and he

hoped the House would hesitate before they came to the conclusion that a Judge who held an office at the pleasure of the Crown was fit to decide Election Petitions. The tribunal to try an Election Petition should not only be above all fault, but it should be above all suspicion of fault. The right hon. and learned Gentleman concluded by moving the Resolution of which he had given Notice.

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is of opinion that a Judge of one of Her Majesty's Superior Courts of Common Law, who may accept and hold an office at the pleasure of the Crown, should not, while holding such office, act as an Election Judge under 'The Parliamentary Elections Act, 1868,'"—(*Sir Colman O'Loghlen*.)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE ATTORNEY GENERAL FOR IRELAND (*Dr. Ball*) said, the proposition of the right hon. and learned Gentleman who had just sat down, was that the Judge on whom the Act of Parliament had cast the duty of trying an Election Petition was, for reasons not contained in that Act, to be incapacitated from discharging that duty, and that, too, without there being any provision for another Judge to take his place. The intention of the Act was, as far as possible, to provide that the Judge should not be picked by design for a particular case, and, accordingly, under it the Judges were to be chosen for each year by a rota framed long anterior to the case, and to take the duty in turn according to their seniority. When the right hon. and learned Gentleman cited an Act of Parliament, he ought to cite the whole section. When he found that a Judge from illness could not go, he ought to have observed that the Judge to take his place must be chosen out of the same Court—namely, either Mr. Justice Keogh, whom the right hon. and learned Gentleman had arraigned in language which the House had heard, or Mr. Justice Morris, the brother of the hon. Member for the City of Galway. The Act expressly provided that the Judges for the time being on the rota should, according to seniority, respectively try the Election Petitions

*Sir Colman O'Loghlen*

standing for trial under that Act unless they should otherwise agree among themselves, in which case the trial of each Petition should be taken in the manner provided by such agreement. That did not mean that when a particular case had arisen it was to be said—"You, Sir, are the particular person suited to go to that particular place." The agreement should be made long before the occasion arose, and not knowing at the time whether it was to be to Dublin, to Galway, or to Belfast, they should say—"We shall invert the order of seniority by making the junior go first," or so on. But there was no provision under which the Judge could exonerate himself from that duty. On the contrary, it was imposed on him, and he could not and ought not to withdraw from it; because if he did so it would give the appearance of the Judge being selected for the particular trial, and not chosen according to his accidental position on the rota. What was the position of Mr. Justice Lawson? He had been the Law Officer of a Liberal Government for years, and on the late Government coming into office he was made a Judge of the Irish Court of Common Pleas. When the Irish Church Act was passed, the late Prime Minister, seeking for a man who would command universal approbation — [*Murmurs*] — again selected Mr. Justice Lawson from among the Judges to act as one of the Church Commissioners. He would read to those who raised those murmurs the words of Lord Selborne, spoken in that House, with reference to that appointment. That noble and learned Lord said—

"I have long known Mr. Justice Lawson, and I have never known an abler or more honourable man."—[3 *Hansard*, cxcvi. 422.]

Yet the right hon. and learned Gentleman had sneered at that learned Judge for having received offices from every Government. Mr. Justice Lawson was appointed a Church Commissioner, not on the mere recommendation of a Minister of the Crown, but by name along with the other Commissioners in the express words of the Act itself. When so appointed, he was not relieved from any duty connected with his position in the Court of Common Pleas. He was still obliged to go Circuit. He had tried criminal and political cases since then

without one sound of disapproval ever coming from the Law Officers of the late Government in that House or any other quarter. Under the statute relating to elections all questions of difficulty that were reserved by the Judge must go to the Court of Common Pleas. It was the Court of Common Pleas that unseated Captain Nolan and seated Captain Trench for the county of Galway, and not a word was then heard of the ingenious constitutional question now raised. To allege now that this proceeding was unconstitutional when there was no provision in the Act incapacitating the Judge from holding any position of that kind, was simply bringing forward observations which were not intended for that House. ["No!"] He said "Yes." Mr. Justice Lawson must go to Galway, and the object of that Motion was to herald his arrival by infusing into the minds of the people disrespect for the Judge whom the Constitution obliged to try the case. As regarded the other office which Mr. Justice Lawson held, the objections of the right hon. and learned Gentleman were equally untenable. In England, in issuing commissions under the Great Seal, it was the custom to choose Common Law Judges, and none of those Judges were discharged from their criminal duties, nor from the jurisdiction between the Crown and the subject. Mr. Justice Buller, one of the greatest lawyers of England, had in times past filled the position, and Mr. Justice Bosanquet had done so more recently. He strongly suspected that it was the position which Mr. Justice Lawson held on the Irish Education Board which influenced those who brought forward the present Motion, and not any anxiety for the purity of the trial of elections. Mr. Baron Richards, a Baron of the Court of Exchequer, sat in the first Irish Encumbered Estates Court, holding office at pleasure, and he continued to perform his duties as a Judge of the Court of Exchequer. There was, in fact, no instance in which any such offices had been held to incapacitate a Judge from these functions; and the Act having placed that duty on Mr. Justice Lawson, it was in the highest degree to be deprecated that Motions of that kind immediately preceding the trial of an Election Petition should be made and debated in that House. What



was that but an endeavour, before the case was heard, to create in the minds of those who were to be brought before him a feeling of distrust of the Judge? And yet, in spite of the testimony of Lord Selborne, the right hon. and learned Baronet was not deterred from "hinting a fault and hesitating dislike" in the case of one of the ablest Judges in Ireland, and a Judge of incorruptible integrity. If a Common Law Judge was asked to take this office, it would be unbecoming in him to refuse. Mr. Justice Lawson was asked to take this office because of his great pre-eminence in the Court of Chancery when he practised at the Irish Bar. He was asked without regard to politics at all, and all he had gained by it was extreme trouble and hard work. He greatly regretted that the right hon. and learned Member had brought forward this Motion. No good purpose could be served by it. The learned Judge had acted with the universal approbation of the Bar of Ireland. ["Oh, oh!"] Against the opinion of those who murmured he would place the approbation of the Irish Bar, and he defied any man whose opinion was of value to contradict the assertion that the Irish Bar heartily approved the appointment of one of whom Lord Selborne had said that a more able and honourable man never adorned the Bench.

MR. MITCHELL HENRY observed that there was one conclusion which everyone who had listened to this debate must have arrived at, and that was that the Judges in Ireland could not be overworked if they were able to undertake so many extra duties as the learned Judge in question had undertaken. When one of the Judges of the Common Pleas was able at the same time to take a paid office from the Crown, administering property to the value of several millions sterling a-year, which the Prime Minister told them the other day would continue for 17 years, also to fill one-third part of the office of Lord Chancellor of Ireland, and, in addition, to discharge the duties of one of the Commissioners of National Education, no rational man could fail to come to the conclusion that there must be something behind the scenes in regard to the appointment of the Judges in Ireland. ["Oh, oh!"] In holding that language he believed he was backed up by nearly the whole of the Irish people. ["Divide!"] Some hon. Members were,

no doubt, anxious to divide, in order to get rid of a very inconvenient question. It was a question of great importance as affecting the liberties of the people of Ireland; but hon. Gentlemen opposite appeared determined to shut out Constitutional questions, although they called themselves the Constitutional party. There was a time when the House would not have objected to the discussion of Constitutional questions, and when they would not have shirked an inquiry into the circumstances of the late Dissolution, as they did the other evening. If Mr. Bouverie, whose absence they all regretted, had been a Member of this Parliament, the question of the Dissolution, he felt sure, would have been discussed on Constitutional instead of on personal grounds. And it was distinctly as a Constitutional question that he now desired to treat the Motion before the House. Those who remembered the case of the Galway Election Petition, three years ago, would also remember that wherever the English language was read it was felt that the inquiry betrayed a decline in the purity and dignity of justice in the United Kingdom, and all who wished to see the ermine of the Judges unsullied must blush at the remembrance of the circumstances. Want of confidence in the administration of justice, he maintained, was one great cause of discontent in Ireland. There was about to be another inquiry at Galway, and it was not enough that this House should be satisfied—the people ought to be satisfied also. He did not say Judge Lawson was capable of leaning to one side or the other; but when they had a Judge of Common Pleas, recently appointed to one third part of the office of Lord Chancellor of Ireland, undertaking the duty of trying an Election Petition, it would be difficult to convince the people of Ireland that the Government had not some particular motive in getting the Petition tried by that particular Judge. They were going to send to Galway a Judge who was known as a Protestant of the Protestants—who had always been known to be an upholder of the Orangemen—a Judge who held three different offices at the pleasure of the Crown, one of them carrying with it a salary which might be withdrawn at any moment. He trusted it was not too late to provide a Judge to preside who would more completely carry with him the

confidence of the people. Would the Lord Chancellor of England, he asked, descend to the level of trying an Election Petition in this country? But that was, in effect, what was going to be done in the case of Galway—and when a Judge of the Common Pleas of Ireland was appointed virtually to the office of Lord Chancellor of Ireland, and that office was connected in the minds of the people with the conscience of the Crown, it was a serious matter to teach the people that the Crown itself was going to take part in these inquiries. He himself felt very seriously the inconvenience and even danger of these discussions; but when the House passed the Corrupt Practices Election Act they were distinctly warned by some of the most experienced Members of the inevitable result. The right of voting was as sacred to the voter as the right of judging the election ought to be to the House of Commons; and now that the House had parted with the right which it took 200 years to win against the Crown, the voter might well complain that another step was taken in discrediting the freedom of elections, and that a Judge more intimately connected with the Crown was, perhaps, to deprive them of their Representative, because the Commons of England had grown too lazy or too indifferent to vindicate their own privileges. One of the wisest Members of the House almost foretold what would happen about these election inquiries, and he was sure they would permit him to read a few words from the speech of the right hon. Member for Oxfordshire (Mr. Henley), which strikingly bore on the case of the Galway Election. What, said that right hon. Gentleman, in 1868, was the House of Commons going to do?—

“They were not only depriving the individual of a seat; but they were putting it in the power of a Judge to stamp with infamy for seven years any man whom he might condemn, honestly, no doubt, but perhaps mistakenly.”—  
[3 *Hansard*, xcxi. 320.]

Well, at the Galway Election trial a Bishop was condemned, and being tried subsequently by a jury—not in his own diocese, but in the City of Dublin—was without hesitation acquitted, with the approbation of every impartial man in the Kingdom. The evidence which convinced the Judge completely broke down when it came to be properly sifted before

a jury, and yet there was no power to reverse the fiat of the Judge, and that Bishop must continue for seven years under the ban so unjustly put upon him. Nay, more, another Roman Catholic Bishop, who was not permitted to have his case investigated by a jury, was actually now, as it were, going to be tried at the forthcoming inquiry in the case of the Galway City Election Petition—for this penal disqualification inflicted on him by a single Judge, without appeal, three years before. If that was the way the House of Commons administered the Constitution in Ireland, all he could say was it was one to which their forefathers never would have submitted.

MR. SULLIVAN: Sir, late as is the hour, and anxious as hon. Members are to close the debate, I rise to assure the House that there is underlying this Motion a very serious and very important question. That is, the question of the relations and attitude of the Irish Judiciary towards the Crown and towards the people. The right hon. and learned Member for Clare (Sir Colman O’Loghlen) in bringing forward this Motion, expressly and emphatically disclaimed any idea of a personal attack on Mr. Justice Lawson. But personalities have been dragged, and needlessly dragged, into the debate by the speech just delivered from the Treasury Bench. [“No, no!”] The Attorney General for Ireland, speaking for and defending his own class, the political lawyers—a class against which, as we well know, there lies grave and weighty accusation on this very subject—the Irish Attorney General, I say, with more vehemence than logic, has made a violent, personal attack on the right hon. and learned Member for Clare, imputing to him unworthy motives and covert designs; absolutely denouncing the Motion before the House. I can tell the Irish Attorney General that if that is the way this Motion is to be encountered, we are ready to meet him. I can tell the right hon. and learned Gentleman that we Irish Members are not going to sit tamely silent here when the occupants of the Treasury Bench can only reply by almost menace to one of our number who has done his duty and no more. But the real question raised by the right hon. and learned Member for Clare is one far more important than the personal merits or de-

merits of Mr. Justice Lawson. It is whether in Ireland the constitutional theory holds true in practice and in fact, that the Judges are placed above and beyond the favour of the Crown. Is that so in Ireland? ["Yes, yes!" and "no, no!"] Is it true that the Irish Judges have nothing to hope and nothing to fear by the favour or disfavour of the Crown? Why, the very contrary is the fact. ["Oh, oh!"] I do not wonder at these interruptions. But I am ready to make good my assertions. I say it is notorious in Ireland, as in this present instance, in the case of this same Justice Lawson, that Judges have been taught, and trained, and accustomed to watch the eye of the Minister even when dispensing justice from the Bench. Why, who will tell me that the Irish Judges are beyond the reach of Ministerial favour, when one of them can be singled out from the rest and be favoured by emoluments and honours not conferred upon others? Mr. Justice Lawson by selection and favour of the Minister—that is to say, of the Minister whom he served and pleased—enjoys a plurality of offices, and has secured to him £2,000 a-year beyond what the other Puisne Judges receive. We are told no salary attaches to this third or fourth office recently conferred on him—that of Commission of the Great Seal. But I rather think his having filled this position now may be claimed hereafter to count as a mark in his favour in the competitive examination some day, for the Chancellorship itself. Hon. Members may think it decorous to affect incredulity; but it is no secret that when last, some six years ago, the office of Lord Chancellor was vacant in Ireland, something far more lively than a "competitive examination" went on; Judge striving with Judge to see who could carry off the prize from the Minister's hand. It is no secret that at that time a power in this country, it would seem, barely second to this House itself, *The Times* newspaper, actually postulated Mr. Justice Keogh for the office on the ground of his successful trying of the Fenian prisoners. ["No, no!" and "oh, oh!"] I say yes, yes! I ought to know something about the public Press; I am, at all events, as familiar with the pages of *The Times* as the Irish Attorney General is with the pages of *Blackstone*; and I say I can put my finger on the passage—a startling commentary on the

relations subsisting between the Irish Judges and the Crown—and there it stands on record in the pages of the leading journal of the Empire. Now, it is no light thing in any country to have Judges thus taught to make friends for themselves in the Cabinet. In Ireland, where circumstances are so peculiar—["cheers and laughter"]—in Ireland, I repeat, where circumstances are so peculiar—yes; where law on the Bench has for centuries been presented to the gaze of an outraged people in the guise of injustice and oppression—injustice and oppression which you yourselves have recently in part confessed and attempted to mitigate. In such a country I say, it is especially necessary that the Judges on the Bench should not only be free, but should be seen to be free of all favour from the Crown; and it is of evil import and evil effect that the Irish people should see such a man as Judge Lawson picked out from amongst better men on the Irish Bench and made the favourite recipient of offices and emoluments by the Crown. The Irish Attorney General has, with that adroitness and skill which distinguished the able advocate at the Bar, sought to divert this debate into a contention about Judge Lawson's character. We have nothing to do with that; but we know that Judge Lawson's career illustrates the evils of an evil system in Ireland. He has just dismissed from the magistracy a gentleman accused of having said that lawyer politicians on entering this House quickly forget and betray their principles. Judge Lawson had good right to be sensitive on that point. It is the affliction and the curse of Ireland that most of our Judges have to earn the Ermine by political party servitude. How did Judge Lawson earn his? By desertion and betrayal of his political principles. He entered Parliamentary life as a flaming defender of Mother Church, a determined foe of disestablishment. Surely the Irish Attorney General has not forgotten Mr. Lawson's memorable speech on the hustings of Trinity College, when he was reproached with being silent in his election address on the subject of disestablishing the Irish Church. "I have been silent," said he, "for the same reason the Roman Code was silent as to the crime of parricide—because it was too awful a crime to contemplate." Alas!

it was the parricidal or rather matricidal hand of Mr. Justice Lawson that dealt the fatal blow at Mother Church; for he it was, I am told, whose hand drafted the disestablishing clauses of the Disestablishment Act. Indeed, it is notorious that it was for this—for the party servitude he thus gave in destroying his own Church and deserting his own principles—that he was made a Judge, and a special favourite of the Minister among the Irish Puisne Judges. This is the point of the case. There is now about to sit in judgment on the political existence of a Member of this House a man who holds offices of emolument and honour at the favour of the Crown, and who earned those offices and emoluments as the rewards for the desertion of his own political principles.

SIR HENRY JAMES said, he must decline to enter into many of the subjects touched upon by the hon. Gentleman who had just sat down, as what they had now to consider was the Motion of the right hon. and learned Member for Clare (Sir Colman O'Loughlen). When his right hon. and learned Friend made his speech he (Sir Henry James) supposed he intended to submit to the House a broad Constitutional doctrine; and, so long as the discussion was confined to such a view, he (Sir Henry James) was sure it would have attention and sympathy. An abstract proposition was nothing if it was put forward without sufficient cause or on insufficient grounds; and in bringing forward the Motion, or in supporting it, they should be careful to place themselves beyond the suspicion of making any covert attack upon the Judge whose name was associated with it. He was sure his right hon. and learned Friend had no such object, and that, when he enumerated the many high positions which Judge Lawson filled, he did not mean to convey anything but that the learned Judge had honestly gained them. If an attack against him had been intended, the Motion would not have been framed as it had been, and the right hon. and learned Gentleman would have spoken in less ambiguous language; and, if the discussion had wandered a little away from the abstract proposition, his right hon. and learned Friend the Attorney General for Ireland—with perhaps the most natural desire to defend the position of the Judge from an attack

which he (Sir Henry James) hoped was never intended—had caused an answer to be given possibly a little more warmly than was necessary for the discussion of the question. The principle sought to be enunciated would probably have passed without comment, but it was unfortunately founded upon the recitals contained in the Motion of his right hon. and learned Friend the Member for Clare, which probably would cause some of them to dissent from it. Mr. Justice Lawson, as Judge of the Court of Common Pleas in Ireland, had received from the late Government the appointment of Commissioner to administer the Church Temporalities Act. If that was unconstitutional it was too late now to condemn it. The appointment was made in an Act of Parliament sanctioned by both sides of the House. If anything unconstitutional had been done, it was done then, not now; and the censure for that act, if censure was due, must rest on the whole House. But English Judges often held similar positions, and Baron Bramwell was a member of the Judicature Commission, and he was also an Election Judge, and yet no Constitutional objection had been raised in his case. He (Sir Henry James) contended that if this Motion was simply intended to condemn the appointment of Mr. Justice Lawson as a Commissioner of the Great Seal of Ireland, the Motion should have been confined to the particular circumstances of the case. On every hand testimony was borne to the merits of Mr. Justice Lawson, and it was not right to discuss them in his absence. It seemed to him that if they discussed the peculiar circumstances of this case it would appear to convey that Mr. Justice Lawson was likely to be influenced by the Government to give a wrong decision on the Galway Petition; but he maintained that no Government would dare to attempt to influence a Judge, and that no Judge would allow himself to be influenced. In conclusion, he requested the right hon. and learned Gentleman not to press his Motion to a division, but to allow the expressions of opinion which had been given to serve the objects he had in view in bringing it forward.

THE SOLICITOR GENERAL said, that after the very able and temperate speech of his hon. and learned Friend the Member for Taunton (Sir Henry



James), he would not detain the House with many remarks, but as this had been called a Constitutional question he wished to say a word or two. The right hon. and learned Member for Clare (Sir Colman O'Loughlen) and some hon. Gentlemen who followed him had travelled far a-field, because they had questioned the policy of the Act of 1868, which appointed Common Law Judges in England and Ireland Election Judges; but he did not suppose the House would care to investigate such a matter upon a Motion of this kind. The policy of that Act was well considered at the time, and it was thought that those Judges would make a fitting tribunal for trying Election Petitions, and he was not aware that they had given any dissatisfaction. There might be some want of harmony in their decisions, but that was almost a necessary consequence when a new tribunal was formed; and certainly it could not be said the decisions of Election Committees had always been very harmonious. He desired to deal with the question raised by this Motion calmly, reasonably, and temperately. It was said that it was contrary to the Constitutional law of the country that a Judge who was appointed to try an Election Petition should hold any office at the pleasure of the Crown. The question was, What was Constitutional law? "Constitutional" was a vague and indefinite term, and as to the Constitutional law of this subject, every speaker interpreted it for himself. The question was, Was it contrary to law that an Election Judge should hold a place of profit or honour at the pleasure of the Crown? Was it contrary to the Act of 1868? The Act of Parliament did not say so; there was no law, written or unwritten, to which Members could point to show that it was illegal. The Common Law Judges were not appointed Election Judges by the Government that happened to be in existence at the time, but by rules laid down by the Act, and they were selected by themselves. It might be said that although it was Constitutional, yet it was not expedient to appoint them. If that were so, why should that argument be confined to Judges who had to try Election Petitions? and why should it not be said of any Judge who had to try a cause or a prisoner that it was contrary to expediency that he should hold an office at the plea-

sure of the Crown. If that policy were carried out the result would be most lamentable, because the Crown would be deprived of the services of many of the persons who were most likely to render those services. After all, this was a sentimental and not a substantial grievance. That a Judge would forget his oath and responsibility, and do wrong, because he held an office at the pleasure of the Crown, was more than anyone could believe, and any suggestion of that kind was a grave reflection not only upon the Judge, but upon the Government. He held there was no law which should prevent Mr. Justice Lawson from trying the Petition, and there was no reason for altering the law as it at present stood.

MR. D. R. PLUNKET said, he would not detain the House for many minutes. He did not wish to address them merely for the purpose of adding his own humble testimony to that of every lawyer who had spoken on either side of the House, except the right hon. and learned Baronet who had brought forward the Motion, as to its absolute want of foundation in point of law, but merely for the purpose of protesting against the course suggested by the hon. and learned Member for Taunton (Sir Henry James), who advised that the Motion should be withdrawn. He did not consider it necessary to vindicate the character of Mr. Justice Lawson, which had been assailed because that learned Judge was ready fearlessly to fulfil the duty which the law imposed upon him—although his character had been reproached in a manner more dangerous, more injurious, and far more unworthy than an open attack. Yet it had been admitted by those who made these insinuations that he was a man whose character was above suspicion. ["No, no!"] Let the hon. Gentleman opposite who cried "No, no," so loudly have the courage of his opinions and rise in his place and explain himself. Everyone, he repeated, who had spoken in the debate had admitted that Mr. Justice Lawson's character was above suspicion. Neither would he go over the ground he had once before trodden in this House in defending the character of Mr. Justice Keogh, against whom, in his absence that night, accusations the most malignant had been levelled. Those reckless imputations were formally

brought for judgment before this House, and after a long and searching debate, they had been repudiated by overwhelming majorities. On that occasion, as on a former Galway Election Petition, an attempt was made to impeach the Judge and discredit the tribunal in the eyes of the people after judgment had been given, but to-night the object was to denounce the tribunal before the trial had begun. In his experience in the House of Commons he had never been present at the bringing forward of any Resolution which had given him so much pain, and of which even the partial success would be fraught with consequences so injurious to the country. He called upon the House not to sanction the withdrawal of the Motion, but to stamp it with the condemnation it so justly and fully deserved. He questioned the patriotism of those who, under the guise of vindicating the tribunal, desired the House to stay the hand of justice lest the purity of justice should be stained and the dignity of the law lessened in Ireland. He challenged the patriotism of those who, with those words upon their lips, sneered suspiciously or cast unfounded imputations upon an upright and fearless Judge. He had risen to demand of that House that they should not suffer the Motion to be withdrawn. It was impossible by anything that they could do altogether to counteract the evil consequences that would follow from the speeches that had that night been delivered against Her Majesty's Judges, when they were read, as they would be read, fully reported, in Ireland. But this, at any rate, they had the power to do—to show that when this question had been brought forward and fully debated in the free and open air of that Assembly, its truth had been tested and its injustice ascertained. He therefore called upon the House not to permit the Motion to be withdrawn, but to stamp it with their unmitigated, unquestionable and decisive condemnation.

CAPTAIN NOLAN said, that the fallacy which ran through the arguments of Members on the other side of the House was that they seemed to think the Puisne Judges in Ireland were in the same position as those in England. In England these Judges were non-political men, in Ireland they were political men, and interfered to a greater extent in the government of the country. As to

the Galway Election Petition having been tried out in the House, it had since then been tried out in the constituency, which reversed the judgment of the House.

Question put, and *agreed to*.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

#### SUPPLY—NAVY ESTIMATES.

##### ASHANTEE EXPEDITION.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) £100,000, Expedition into Ashantee.

THE CHANCELLOR OF THE EXCHEQUER explained that the Vote was additional to the £800,000 already voted, but he did not think the whole £100,000 would be required to meet the undrefrayed expenditure.

Vote *agreed to*.

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £175,600, be granted to Her Majesty, to defray the Expense for the Freight of Ships, for the Victualling and for the Conveyance of Troops, on account of the Army Department, which will come in course of payment during the year ending on the 31st day of March 1875."

GENERAL SIR GEORGE BALFOUR expressed an opinion that the Vote would be more economically administered by the Army than by the Navy.

MR. HUNT said, that if the hon. and gallant Member's financial views were adopted it would be necessary for the Navy and Army respectively to manufacture their own ordnance.

Question put, and *agreed to*.

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £1,235,326, be granted to Her Majesty, to defray the Expense of the Dockyards and Naval Yards at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1875."

MR. GOURLEY moved to report Progress.

Motion *agreed to*.

Resolutions to be reported *To-morrow*;

Committee also report Progress; to sit again *To-morrow*.

## POOR LAW GUARDIANS (IRELAND) BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to provide that in cases of a poll at an election for Poor Law Guardians in Ireland the votes shall be taken by ballot, *ordered* to be brought in by Sir COLMAN O'LOGHLEN, The O'CONOR DON, and Mr. CALLAN.

Bill *presented*, and read the first time. [Bill 95.]

## DUDLEY WRIT.

*Ordered*, That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of a Member to serve in this present Parliament for the Borough of Dudley, in the room of Henry Brinsley Sheridan, esquire, whose election has been determined to be void.—(*Lord Kensington*.)

## METROPOLITAN BUILDINGS AND MANAGEMENT BILL.

Select Committee on the Metropolitan Buildings and Management Bill *nominated*:—Colonel HOGG, Mr. SAMUDA, Mr. CAWLEY, Sir JAMES LAWRENCE, Mr. GRANTHAM, and Mr. LOCKE, and Five Members to be added by the Committee of Selection:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at a quarter  
after One o'clock.

## HOUSE OF LORDS,

*Friday, 8th May, 1874.*

MINUTES.]—PUBLIC BILLS—*First Reading*—*Tramways Provisional Orders Confirmation* \* (50).

*Second Reading* — (£13,000,000) Consolidated Fund \*.

*Third Reading*—Courts (Colonial) Jurisdiction \* (48); Hertford College, Oxford \* (46); Game Birds (Ireland) \* (49), and *passed*.

## RAILWAY COMPANIES.—RESOLUTION.

LORD REDESDALE called the attention of the House to applications which are now frequently made to Parliament by Railway Companies for power to construct short lines for the development or improvement of lands, mines, or manufactories, the immediate object and direct effect of such lines being to enhance the value of particular private properties. In his capacity of Chairman of Committees, such cases constantly came under his notice. His views were expressed in this Resolution, which he would ask their Lordships to adopt—

*Moved* to resolve, That whereas applications are now frequently made to Parliament by Railway Companies for power to construct short lines for the development or improvement of lands, mines, or manufactories, the immediate object and direct effect of such lines being to enhance the value of particular private properties, and as it has not been the practice of Parliament to give compulsory powers to one person to take the lands of another for his private advantage, it is unjust and inexpedient that powers which would be refused to individuals on their own application should be obtained by them indirectly through the intervention of Railway Companies.—(*The Chairman of Committees*.)

THE EARL OF DUNMORE, on the part of the Government, said, they, of course, concurred with his noble Friend the Chairman of Committees, in thinking that powers which would be refused to individuals on their own application should not be obtained by them through the intervention of Companies; but he desired to ask his noble Friend what would be the effect of the Resolution if adopted? If the object was to prevent Companies from taking lands for private advantage only, there should be an express direction to Select Committees to carry it into effect; but if it meant more, it should be expressed in definite language. But the Select Committees on Railway Bills had at present very ample powers, and he thought his noble Friend ought to submit his Resolution in the shape of a Standing Order before he asked their Lordships to adopt it.

THE DUKE OF CLEVELAND was of opinion that the practice against which the Resolution of the noble Lord the Chairman of Committees was directed was one to be very much condemned. The power to take lands was always granted to Companies, but never to private individuals; and it was not desirable to enable private individuals to do through Companies what they could not obtain the power to do themselves. He should support the Resolution of the noble Chairman of Committees.

THE EARL OF AIRLIE said, the Resolution was drawn up in very ambiguous terms—it might mean very much, or it might mean very little. Individual benefit might be alleged in the case of some of the most useful Railways, and rival Companies might set up individuals to oppose, under the terms of the Resolution, a line which would confer a great public benefit. A public advantage was not to be measured by the length of a line,

or the acreage required for its construction. As to public benefit from these lines, surely it was an advantage to London, and to the iron, cotton, woollen, and other manufactures, that fresh coal-fields should be opened. It was also for the public advantage that large supplies of coal should be rendered available for the foreign markets. He hoped that the House would look carefully at the matter before they adopted the Resolution of the noble Lord.

EARL GRANVILLE concurred in what had just been said by the noble Earl in opposition to the Resolution. If the Select Committees did their duty properly, he did not see any necessity for a Resolution or Standing Order to embody a principle in which all their Lordships were agreed with his noble Friend the Chairman of Committees. No doubt his noble Friend had given full Notice of his intention to propose this Resolution; but there seemed to be some misunderstanding on the subject; therefore, if his noble Friend wished to have the matter more fully considered, he would recommend him to bring forward his proposal in another form.

THE DUKE OF RICHMOND entirely agreed in the Resolution of his noble Friend (Lord Redesdale) as an abstract proposition; but he would ask their Lordships what effect this Resolution, if adopted, would have? In his opinion, the question was one for the Select Committee which inquired into each particular Bill. If he were Chairman of a Select Committee on a railway, the mere expression of an opinion would have no effect whatever upon him. The question was for the Committee. If the line asked for was shown to be for the benefit of any particular individual, and not for the benefit of the public, no Committee would grant to the promoters of such a line powers to take the land of persons who did not want the line. An abstract Resolution of this kind would have no effect whatever; and it would be very difficult to draft it into a Standing Order. He concluded, therefore, that it would be unwise for their Lordships to deal with the subject at all, unless it could be put into some substantial form.

EARL GREY said, that Parliament ought not to over-ride individual rights for the sake of private advantage; and this was a grievance against which the Resolution was directed. He thought

that if the House came to any Resolution on a subject of public importance, it would be the duty of the Select Committee to frame their proceedings so that they should be in accordance with the general rule so laid down.

LORD CARLINGFORD thought that this short discussion had at least shown this—that questions as to public and private interests were so nice, and varied so much in the individual cases, that they could not be concluded by any general rule, and that it was eminently a question for the decision of each Committee, and was not to be regulated by a Standing Order or Resolution of the House. He agreed with the suggestions which had fallen from the noble Duke.

THE MARQUESS OF BATH agreed with the noble Lord as to the difficulty of drawing a line between public and private interests. It might well be that in some of these lines, while there was much private benefit, there might be much public advantage also, and it must be the business of the Committee in each case to decide how far the proposition was brought forward for private advantage only, or would secure a public benefit. No doubt, most of the lines referred to would be for the public advantage by the cheapening the production of coal and minerals; but public grounds might very easily be put forward as a pretext for forwarding purely private interests. He thought the noble Earl (the Earl of Airlie) was wrong in supposing that it would be for the interest of railway companies to put up individuals to oppose short lines under the Resolution now proposed.

LORD REDESDALE, in withdrawing the Motion, said, he had some satisfaction in this—that almost every noble Lord seemed to agree in the principle which he desired to carry out, and he thought that it would not be easy to word a Resolution in a more clear manner than he had done. He should, however, not divide the House upon a matter upon which they seemed to desire further information.

Motion (by leave of the House) *withdrawn*.

#### AFGHANISTAN.—QUESTION.

LORD NAPIER AND ETTRICK asked the Secretary of State for Foreign Affairs, Whether Her Majesty's Govern-



ment fully adopt the conclusions stated by Earl Granville in his despatch to Lord Augustus Loftus of the 17th of October, 1872, respecting the territories and boundaries of Afghanistan; and, whether Her Majesty's Government would grant the moral and material support of England to the Ameer of Afghanistan in case of unprovoked aggression upon his dominions? The noble Lord said that the records of India showed that the late Lord Mayo, from the time he undertook the government of India, had turned his attention to every part of our Eastern Empire; and his attention was directed very specially to the condition of the native States which, in India, interpose between the British territory and the territory of Russia. It was Lord Mayo's opinion—as it was that of every other authority on the subject—that an intermediary zone of native States should be preserved between our territory and that of Russia—he did not mean a zone of neutral States, because Lord Mayo was too sagacious a statesman to believe that such States would not be to some degree under the influence of one or the other of the two great Powers, but States so strong as to be self-supporting, and not liable to be brought under the influence of either the one or the other. Lord Mayo's policy was a policy of demarcation, and he directed his attention specially to a due distribution of power among those States; and his efforts in that direction having been followed up by his successor, there was every reason to believe that a satisfactory settlement of the question of boundaries had been arrived at. The intervention of Russia in this settlement was necessary only in the case of the northern boundary of Afghanistan; and, with the view of co-operation between the two Governments, a distinguished agent was sent by the Viceroy to confer with the Russian authorities. That agent was received with every courtesy; but after a time it appeared that the Russian Government was not inclined, or was not able, to come to an arrangement with England. Under these circumstances, the Government of India pressed on the Government in this country that the settlement of boundary of Afghanistan should be made as an act on our part singly, and that the conclusions at which we arrived as to that boundary should be communicated to

Russia. After the lapse of a considerable time, there came the despatch of the 17th of October in last year, in which the Government of Russia was informed of the opinion of the English Government as to the just position of the northern boundary of Afghanistan. The despatch further stated that the opinion of the Russian Government had been asked in the first instance, and that, our Government having of itself come to a conclusion on the point, that conclusion had been communicated to the Ameer. Nothing could have been more temperate or more courteous than the terms of the despatch; and the Russian Government met the Government of England in a kind spirit—for, though its opinions on the geographical and political questions were not the same as those of our Government, it gave its assent to the settlement proposed by Great Britain. If the character of that negotiation had not been in some degree impaired by a declaration from other quarters, he should not now be addressing their Lordships on this subject. While the Government at home was advocating in Russia the case of Afghanistan, the Government in India was not idle. The good relations between it and Afghanistan were being drawn closer. The Ameer visited the Viceroy, and was received with the honours due to an independent Power. Taking all the circumstances into consideration, he asked their Lordships to reflect on the responsibilities with respect to Afghanistan which we might fairly be held to have assumed. In the first place, we might seem to have pledged ourselves to defend it, because we had fixed its boundaries. He supposed it would not be contended that in fixing those boundaries we merely fixed a geographical fact—this might have been done by a Committee of the Geographical Society. The fixing of those boundaries was intended to be a political fact, and to have political consequence. Because it was a political fact we told the Ameer that he might defend the boundaries. Could it ever have been intended that our Government could tell a semi-dependent and semi-barbarous power that it might defend boundaries which we had fixed without by implication conveying to it that we would assist in the defence of those boundaries? We were bound to defend them not only by our engage-

ments, but also by motives of general policy in connection with the defence of India. But he would not enter at length into that question. But if we were bound to defend the boundaries of Afghanistan we were also bound to control the Government of that State. The latter position seemed to him to follow from the former. We must see that the Government of Afghanistan conducted itself in such a manner that we should not be called upon frequently or lightly to enter on its defence. We had strengthened the Government of Afghanistan by our alliance; we had given moral and material aid by subsidies and by our arms; and he contended that our obligations to control and regulate the action of the Government of Afghanistan commenced with the first assistance that we gave to that Government. The Government of Russia was not slow to perceive this. There was another reason why we should acknowledge an obligation. If Afghanistan should prove a restless and aggressive neighbour she must be restrained by some one. If we did not restrain the action of Afghanistan she must, in the last resort, be restrained by Russia. Surely it was better that we should exercise that duty than that Russian forces should enter the territory of Afghanistan. There could be little doubt that if Russian forces entered the territories of Afghanistan on one side, English forces would enter the territories of Afghanistan on the other; and in all probability some worse results would arise from the conflict of these forces than could arise from an independent action on the part of England. This obligation, however, was of a distant and speculative kind, and he did not think the Government of Afghanistan would provoke such a conflict. The policy initiated by Lord Mayo had for its object to establish a powerful Government, independent in its internal affairs, but indirectly dependent on this country as regarded its external relations, and if the territory of Afghanistan were split up, the whole of that policy would be frustrated. The noble Earl now intrusted with the administration of Foreign Affairs, in the course of some observations he made in a debate on the Address last year, expressed a hope that no pretext, however plausible—no inducement or temptation—would lead our Govern-

ment, under whatever disguise, to entertain an idea of an extension of our territory to the North or West of India. When the noble Earl gave utterance to those words he did not speak with the responsibility of an official, but he spoke with the responsibility attached to his natural position, and to the fact that he had already been placed at the head of the Foreign Office, and that in case of a change of Government he would undoubtedly be appointed head of one of the great State Departments. Such being the case, he (Lord Napier and Ettrick) confessed that he heard the expressions of the noble Earl with considerable regret and anxiety. If the noble Earl had merely said that he reprobated the notion of an extension of our territory to the North of India, he, for one, would have given his hearty concurrence to the opinion of the noble Earl; but it appeared, from the expressions of the noble Earl, that his views at that moment were absolutely and radically opposed to everything that the Government of India had done, and to the whole of their policy; for it seemed that he viewed friendly relations with anxiety and distrust, because friendly relations might lead to something worse than friendly relations—namely, to alliances—alliances might lead to protectorates, and protectorates to annexation. Now, the whole policy of our Government for the last seven years, originated by his noble Friend on the Bench below him (Lord Lawrence), and continued by the Earl of Mayo and by the present Viceroy, had been to contract with the Government of Afghanistan that friendship and that alliance which the noble Earl (the Earl of Derby) deprecated, and which he seemed to believe might be pregnant with very unhappy consequences. These relations with Afghanistan seemed to him (Lord Napier and Ettrick) not only to have been weakened by the observations of the noble Earl, but also to have been seriously affected by an opinion expressed by the late Prime Minister in a speech delivered in the House of Commons on the 22nd of April, 1873, in reply to a Motion of Mr. Eastwick. In that speech there was a distinct declaration on the part of the late Prime Minister that we were under no obligation whatever to employ material restraint in regulating the conduct of the Government of Afghanistan, and

the general tenor of his remarks was that our undertaking did not extend beyond the exercise of moral influence. He held the opinions of Mr. Gladstone in the highest respect on every subject except that of Afghanistan, and he could not refrain from expressing deep regret that a statement, so impolitic and unnecessary, had emanated from so distinguished an authority. It was some consolation, however, that the noble Earl who, at the time that speech was delivered, had charge of our foreign relations had never, so far as he was aware, given utterance to the same sentiments, and therefore, perhaps, they need not be regarded as those of the Foreign Office. We knew the impression such a speech made in Europe, but could little imagine the effect it would have throughout Asia. No doubt it had been done into Persian, probably with very doubtful accuracy. There was, in all likelihood a Hindoo version, a Marathi version, a Tamil version. It might be assumed that in every Indian durbar it had been debated, and that in every bazaar it had been a topic of common talk. And what impression could it have had on the Hindoo mind? Probably it had given rise to a feeling that the Government of England was inconsistent and did not abide by its resolutions, or that it had come to no conclusion at all on the subject of Afghanistan. Any reference to the policy of Russia in Central Asia was quite apart from his intention in making these observations. That formed no part of his inquiry of the Government; and it would ill become him to create a bad feeling between this country and Russia, even if he had the power to do so, for he had passed four years of his life in Russia, and had always received the most distinguished consideration; therefore, it would be repugnant both to his personal and political feelings to cause strife between Russia and England. No one could be more deeply persuaded than he of the policy and necessity of maintaining as much as possible a cordial understanding with the Government of Russia. There was much in the character of the Russian nation which deserved our esteem, and it had a mission of civilization in Asia which accorded with our own. But if harmony between the two Governments was to be maintained, it could only be by conduct that would give rise to mutual respect, and

nothing was more important than that this country should make a clear and consistent declaration of its policy, and be ready at all times to support it. He now wanted to know whether the Government would adopt the conclusions of the late Government as set forth in the despatch to which he had referred, and whether they would be prepared with moral and material support to the Ameer of Afghanistan. In case, however, that the Government had not had sufficient time to devote their attention to the subject—it being contained in a long Correspondence with Russia—he hoped that they would seriously consider it, and be able to disclose their views to the House at no very distant date, and that at that time they would be able to set forth a clear, intelligible, and consistent policy in regard to it.

THE EARL OF DERBY: My Lords, the Question which the noble Lord (Lord Napier) has addressed to me divides itself into two parts, and probably it will be for the convenience of your Lordships if I deal with the two parts separately. The noble Lord asks me, in the first instance, whether Her Majesty's present Government "fully adopt the conclusions stated by Earl Granville in his despatch to Lord Augustus Loftus of the 17th of October, 1872, respecting the territories and boundaries of Afghanistan." Now, that is a very simple inquiry, and it is one which I have no difficulty in answering. The despatch to which the noble Lord refers, and of which he in part stated the purport, lays down the boundary of the territory which was regarded as belonging to the Ameer of Cabul, and proposes that the boundary so laid down should be recognized by the Russian Government. That boundary was—I will not say unfixed—but undoubtedly uncertain. Differences of opinion might fairly exist as to the line which ought properly to be drawn—at any rate, that line had not been determined by any international engagement. The Russian Government, after some Correspondence on the subject—in which it is but just to say they manifested a very friendly spirit—acquiesced in the proposals made by the noble Earl opposite (Earl Granville). The line of boundary submitted by us was accepted, and so far as Afghanistan is concerned, all danger of disputes upon the question of territorial sovereignty has thereby been avoided. Now, my Lords,

I am bound to say that I see no reason for dissenting from the language of the despatch in question, or from the conclusions arrived at by the noble Earl who preceded me in the management of foreign affairs (Earl Granville). In any case I should hold that an incoming Government is bound by an international engagement of that character entered into by its predecessors. The inconvenience and complications that would arise would be extreme if, whenever a change of Administration occurs, questions of this kind were to be considered as re-opened. But, in addition to that, it is only fair to say that, as far as I have formed a judgment on the matter, I think the settlement of the boundary question obtained by the noble Earl opposite was as satisfactory as could be expected. I now come to the larger and much more difficult question to which the greater part of the noble Lord's speech was directed. He asks me whether the Government are prepared to give their moral and material support to the Ameer of Afghanistan in case of any unprovoked aggression upon his dominions. Now, I may observe that to every quarrel there must be two parties, and that every question has two sides. Whether therefore any given case of aggression is unprovoked or not is very likely to be a matter on which different opinions will be entertained, and the pledge for which I am asked is therefore a pledge which involves very little. But passing from that point, I must guard myself from saying that I, accepting as I do the despatch of the noble Earl opposite (Earl Granville), feel myself in any degree bound by the conclusions which the noble Lord has drawn from that despatch. I do not think I ever knew so extensive a superstructure raised upon so small a foundation. The noble Lord says that we have contracted three distinct obligations towards the Ameer. He tells us that we have fixed the boundaries of his territory, and have thereby pledged ourselves to defend it against all comers. Now, that is to me a totally new theory of international obligations, and if the noble Lord can point to any authority or precedent for the views he has advanced on this subject, I shall be very glad to hear it. Then the noble Lord proceeded to quote some words of mine used last year, from which he drew certain inferences; but I think that if he will care-

fully consider those words and their context he will find that I carefully guarded myself against expressing any definite opinion upon the subject until the Papers with regard to it, which were not at the time before us, were laid on the Table of the House. What I said on that occasion comes to no more than this—and I willingly now repeat it—that in the case of Oriental nations you ought always to watch with great care the engagements which you incur, because such engagements are apt to pass into alliances which bring with them somewhat difficult obligations. I must say that if anything could to my mind furnish an additional confirmation of the views then expressed, and an additional reason for caution in those matters it would be the speech to which we have just listened. If we are bound, as the noble Lord says, to defend the Ameer of Afghanistan against all comers we are, at least, equally bound to warn him beforehand if we think he is placing himself in a wrong position, and eventually we shall be undertaking the obligation of regulating the external affairs of that country. That involves a protectorate, and I venture to say such an arrangement would be one into which it would be most undesirable for this country to enter. It must be borne in mind that the people of a country themselves—whether in Asia or in Europe—will have something to say on the regulation of their own destiny; and to establish English control over Afghanistan against the will of the people—and I do not think we can do it with their consent—would be to engage in an undertaking which would probably result in reducing Indian finance to a worse position than that which would be brought about by many successive famines. If it is merely meant that, in the event of the Ameer proposing to go to war with any neighbour beyond his own recognized frontier, we are bound to use our influence to prevent such a war—then in that limited theory of our obligations I should concur. That, however, falls very far within the obligations which the noble Lord desires that we should undertake. Then, the noble Lord asks us, what course we should be prepared to adopt under some hypothetical circumstances which do not at present arise? I will not complain of this inquiry, because I remember it has been



said that there is no such thing as an indiscreet question, though there may be an indiscreet answer—but the noble Lord will, perhaps, take it as a compliment to his ingenuity if I tell him that he has put to me a Question which it is very difficult to answer without causing inconvenience to the public service in one direction or another. If I were to say to the noble Lord, "Your questions are vague, and we really cannot tell you what we shall do under circumstances which do not exist," he would probably meet us with the reply, "Well, that is a confession that, so far as the affairs of Afghanistan are concerned, you have no policy." If, on the other hand, I were to inform the noble Lord that I could make a good guess as to what it would be our duty to do, but that I did not think it would be desirable to state what that course was, he might turn round and say, "Then it is clear Her Majesty's Government have a policy, but it is also evident that it is a policy which they dare not venture to announce to Parliament or the country." If, again, I were to tell your Lordships in plain words that I thought it very doubtful whether, under such circumstances as those supposed, the Ameer of Afghanistan would have any reason to expect protection from us, the noble Lord will see—and I am sure your Lordships will see—that a statement of that kind would be a very plain and broad hint to the Ameer that he must not expect much from the alliance of England, and that he had better look out for allies in other quarters. Now, I do not think that is an answer which it is desirable to give. On the other hand, if I am to accept the challenge of the noble Lord, and to say that in any such case as has been supposed the Ameer is entitled to claim from us not only moral, but material support, then what I should be doing would be to give, in a casual and informal manner, in answer to a Question put to me from the other side of the House, a guarantee such as the Government of this country has given only in rare cases and under circumstances—as in the case of Belgium—where reasons of policy imperatively called for it. I need not remind your Lordships what and how great a responsibility is thus incurred. To give the guarantee of this country to an independent foreign nation is to take a step involving the gravest responsibility which

can be incurred by an English Government. I hope, therefore, the noble Lord will not think that I am disrespectful to him if I decline to involve the Government or the country in such a responsibility, merely in order to gratify his quite natural and legitimate desire to ascertain the course which we may deem it to be our duty to take under circumstances which have not arisen, which may never arise, and which we are not in a position to foresee. Much will depend on the precise nature of the case, supposing it to occur—much will depend on the feeling of the Afghan population themselves—much must depend on the conduct of the Ameer, both in relation to his own subjects and to other States. All that I should be justified in saying—and it has been repeatedly said by my predecessor in office—is that to maintain the integrity and the territorial independence of Afghanistan in our judgment—and I am quite sure my noble Friend behind me, who is responsible for the administration of Indian affairs (the Marquess of Salisbury) will concur in this expression of opinion—is, and ought to be, a most important object of English policy, and that any interference with the national independence of Afghanistan would be regarded by Her Majesty's Government as a very grave matter, requiring their most serious and careful consideration, and as one which might involve considerable danger to the peace of India. I think, if such an interference occurred, to put the matter mildly, it is highly probable that this country would interpose; but there is a very wide difference between admitting this probability, and acknowledging the right of the Ruler of Afghanistan or any other person to claim from us, under circumstances and conditions which cannot be foreseen, material as well as moral support, not as a matter of policy or of expediency with reference to Indian or English interests, but as a matter of positive international obligation.

EARL GRANVILLE: My Lords, the noble Earl who has just sat down has left me hardly anything to say on this question—and if I had more to say I should feel reluctant to give utterance to it. But I entirely agree with the noble Earl that, while on the one hand it is the duty of Parliament to view with the most critical observation the conduct of those who administer the foreign

affairs of this country, on the other hand nothing can be more disadvantageous than to require from those persons answers to questions of a perfectly hypothetical character as to occurrences which may never, and which probably will not, happen, and of which in any case, you cannot anticipate the particular circumstances. I wish, however, to thank the noble Earl for the expressions he has used in regard to the policy of the late Government on this subject, and the despatch to which reference has been made. The meaning of that despatch is not to be taken from any commentator, however ingenious and able—and the speech of the noble Lord who brought the matter forward (Lord Napier) was both—but is to be taken from the document itself. It is quite clear that the noble Earl the Secretary of State for Foreign Affairs will do as we would have done; he will act up to the engagement undertaken in that despatch. As to our influence in Afghanistan, that is considerable; and I think we should be wanting in good faith to the Russian Government if we did not exercise the influence we have in furtherance of that for which we said we would exercise it. Further than that, as to a guarantee, I defy anyone to find in the words of the despatch anything laying us under any such international obligation. We are left perfectly free to adopt whatever measures we may be disposed to take on a most important question affecting our Indian interests, which I am sure will be considered by the noble Earl opposite and his Colleagues in a spirit which befits the Government of this country all the better for their not making any previous declaration defining the course they would take in a case which is purely hypothetical.

LORD STANLEY OF ALDERLEY expressed his satisfaction at the reply the noble Earl the Foreign Secretary had given to the Question asked by the noble Lord.

#### ENDOWED SCHOOLS—GELLIGAER SCHOOLS.

##### ADDRESS TO THE QUEEN.

THE DUKE OF BEAUFORT said, that he would not press the Motion of which he had given Notice for an Address to Her Majesty, praying Her to withhold Her Assent from the scheme of the

Endowed Schools Commissioners respecting the foundation of Edward Lewis for a school at Gelligaer, provided the clauses which affected the religious teaching of the school were struck out. These clauses were the 55th and 56th, and were what were generally known as the Cowper-Temple clauses.

*Moved*, that an humble Address be presented to Her Majesty, praying Her Majesty to refuse her assent to the scheme of the Endowed Schools Commissioners for the management of the Foundation of Edward Lewis for a school at Gelligaer in the county of Glamorgan, and for other charitable objects.—(*The Duke of Beaufort.*)

THE BISHOP OF LLANDAFF said, he understood that under the Act of last year a clause might be expunged from the scheme without affecting the scheme itself. If that were so, his objections were very much removed. He had no hostility to the general scope of that scheme, the provisions of which, with the exception to which he was about to refer, would confer great benefit on the district. It was clearly the intention of the Founder that the school should be in connection with the Church of England, and that intention was as clearly violated by the introduction of those clauses. His objection to the introduction of the Cowper-Temple clause of the Education Act into this and another Welsh scheme was that—as acknowledged by the Commissioners—it had not been inserted in any English scheme; and though he accepted their disclaimer of any intention of treating Wales as an *experimentum in corpore vili*, it would be impossible to convince the clergy that this was not the principle adopted. He himself, and all the other members of the Board, had no idea of such an innovation having been made when they assented to the scheme. He also objected to another proposition of the scheme, that seven of the nine members of the new Governing Body should be elected by three school boards and the Board of Guardians, fearing that, as the remaining two would be co-opted members, the whole body would ultimately be of an inferior class. He denied that the Church of England was irrecoverably lost in Wales. People were not Dissenters from any distinct notion of the difference between the Church and their own bodies, but from circumstances not at present within control, and were they let alone, and

not stimulated by political rather than religious feelings, many of them would entertain very different opinions. In spite of the increase of the population of his diocese since the beginning of the century from 107,000 to 503,000; of the existence of two languages, entailing double ministrations; and of the alienation of a considerable portion of the rent-charge, the position of the Church had greatly improved, and he saw no reason for exceptional treatment.

LORD ABERDARE regretted that this difference had arisen, and was sorry to find himself opposed to a right rev. Prelate so attentive to his duties, consistent in conduct, and liberal in all that affected the interests of the Nonconformists. The objection taken by the right rev. Prelate was confined solely to the provision in reference to religious instruction and worship in the school. If their Lordships looked to the will of the Founder of the school they would not find in that part which related to the school one word which indicated what his religious opinions were, or one sentence from which it could be inferred that he desired that his school should be a purely Church of England school. No doubt he was a member of the Church of England, but of the seven trustees whom he appointed, at least two were Dissenters, and there was not a sentence in the will which implied what manner of religious instruction should be given in the school. The noble Duke opposite (the Duke of Richmond) the other evening laid down a principle which might properly and usefully be applied to all such endowments. It was this—that they should deal with such cases in the manner in which the Founder would if he were now alive. What would Mr. Lewis be likely to do now if he were alive and had an opportunity of studying the working of the Education Act, and seeing the present condition of the district he proposed to benefit? The circumstances were completely changed—he would now find himself in the midst of a working population of some 9,000 persons, four-fifths of whom were Dissenters. Would he be at all likely to seek to impose upon the children of his Dissenting neighbours the necessity of learning the Catechism of the Church of England? But it was said that there existed a “conscience clause,” of which those who objected to such teaching might take advantage.

*The Bishop of Llandaff*

For his part, he denied that the conscience clause was ever intended for such a case. It had never been applied, except for the protection of small minorities, and in the present case it would be wholly inapplicable. The right rev. Prelate would find that even in his own diocese some clergymen of the Church of England, from a sense of justice and propriety, and he might say decency, exempted the children of Dissenters attending their schools from the necessity of learning a Catechism to which—if they did not ridicule it—they were, at all events, indifferent. He hoped the noble Duke would not lend the authority of his high position to the assertion of a principle such as that which was contended for by the right rev. Prelate.

THE BISHOP OF LLANDAFF observed, that the will of the Founder did distinctly indicate what his religious opinions were.

LORD ABERDARE: But not that part of it which referred to the school.

THE BISHOP OF LLANDAFF said, that if the noble Lord referred to the will, he would find that the Founder of this charity, in leaving £40 for the purpose of building a school, had expressly declared that it should be built near to the church at the place in question, and he did so evidently with the intention that the children should go to that church.

LORD ABERDARE reminded the right rev. Prelate that at the time the gift was made the whole population was small, and were collected together in the immediate neighbourhood of the church.

LORD LYTTTELTON confessed that he did not, in the abstract, like the clause to which exception was taken, and which was known as the Cowper-Temple clause; but he knew no conceivable case in which it was more justifiable than in the one under consideration. As to the constitution of the Governing Body, he believed it was the best representative body that could be obtained.

THE DUKE OF RICHMOND said, that the scheme in question had been brought under his notice some time ago by the noble Duke behind him (the Duke of Beaufort), who had fully expressed the objections which he entertained to its provisions. He had given the subject his best consideration, and he found that the trustees, including the

Bishop of the diocese, had informed the Endowed Schools Commissioners that they thought that the scheme was a good one, and ought to pass into law. On the whole, he did not think that there were sufficient grounds for asking their Lordships to advise Her Majesty not to give her assent to the scheme as a whole, and he therefore proposed to strike out the Cowper-Temple clause, and to allow the rest of the scheme to pass. Two school boards had already been established for the district, and he was informed that, in a very short time, they would be able to provide for all its educational wants.

Motion (by leave of the House) *withdrawn*.

Then it was *moved*—

“That an humble Address be presented to Her Majesty, praying Her Majesty to refuse her assent to the proviso in the 56th clause of the scheme of the Endowed Schools Commissioners for the management of the Foundation of Edward Lewis for a School at Gelligaer in the county of Glamorgan, and for other charitable objects.—(*The Duke of Beaufort*.)

Motion *agreed to*.

#### PUBLIC WORSHIP REGULATION BILL— INVOCATION OF SAINTS—ALTAR CARDS.—QUESTION.

EARL NELSON inquired whether the Lord Archbishop of Canterbury is prepared to communicate to the House any information he may have received in reference to a statement made by him on the introduction of the Public Worship Regulation Bill to the following effect:—“I am told by a clergyman, in whose veracity I have complete confidence, that while on one of these (altar) cards there is one prayer in accordance with the ritual of the Church of England there are several others which consist of invocations to the Virgin Mary and the Twelve Apostles.” He put this Question in no spirit of hostility, but merely with the view of removing any misunderstanding that might exist on the subject. He could assure the House that in only three of the prayers on these altar cards was the name of the Holy Virgin and of the Saints referred to, and then by no means in the way of invocation.

THE ARCHBISHOP OF CANTERBURY: My Lords, I am very much obliged to the noble Earl for having given me an

opportunity of making the explanation which he asks. The statement I made, on the authority of another person, may, perhaps, be regarded as not strictly accurate if the word “invocation” is understood in its technical and theological sense. But I wish to call attention to what I believe to be the real state of the case. The noble Earl seems to be possessed of more of these altar-cards than it has been my good fortune to obtain. One only has fallen into my hands, but I have received letters from various persons with regard to the whole subject. Among others I have received a letter from a most respectable firm who call themselves “Church furnishers,” and who apologize for sending me one of these altar-cards, which they state are much approved by the clergy, and have a great sale. I may venture to say that my informant, though he might have been technically wrong, is substantially right, and that it is impossible for clergymen of the Church of England to use the words which are on the altar-card lying before me without justly incurring the very grave censure which I ventured to express when I addressed your Lordships formerly on this subject. The words which I find on this altar-card are—

“We offer to Thee this Sacrifice for the hope of those persons’ salvation and safety who pay their vows to Thee, the Eternal, Living, and True God, joining communion with and reverencing the memory—firstly, of the Glorious and Ever Virgin Mary, Mother of our Lord and Saviour Jesus Christ, and also Thy Blessed Apostles and Martyrs, Peter, Paul, Andrew, James, John, Thomas, Philip, Bartholomew, Simon, Thadeus, Linus, Clement, Sixtus, Cornelius, Laurence, John and Paul, Cosmas and Damian, and all the Saints through whose merits and prayers vouchsafe that we may in all things be protected by Thy safeguard.”

If this is not a desire expressed to God that the prayers of the Saints may be heard for the benefit of those who thus address the Almighty, I do not understand the meaning of language. The other case to which the noble Earl has alluded I think I ought also to read in full—

“Receive, O Holy Trinity, this oblation which we unworthy sinners offer Thee for Thine honour and the honour of Blessed Mary and of all Thy Saints.”

Here is an act in which a clergyman of the Church of England, officiating in a congregation of the Church of England, desires that he and those who are



with him may be aided by the merits and prayers of the Saints, and joins the Blessed Virgin with the Holy Trinity, as offering up the sacrifice of the mass in their honour. Now, my Lords, of course there are minute distinctions, which are well known to members of another communion as to the degrees of reverence and worship which are paid to Almighty God, to the Blessed Virgin, and to the Saints; but we in the Church of England do not generally enter into these minute distinctions, and when we have such expressions as these in prayers which are used privately by clergymen in our churches at the celebration of Holy Communion, I have reason to think that the words which I used a few nights ago are not too strong to express our condemnation of these practices. My Lords, the gist of the correspondence which has been addressed to me on the subject has been this—It cannot be that there is any invocation of the Blessed Virgin in these cards because they are all taken from the Roman Mass, and in the Ordinary and in the Canon of the Mass there is no invocation of the Blessed Virgin. Technically, I grant that that is true. Practically, I do not allow it; and the instances I have adduced as taken from the Roman Service seem to me fully to justify what I have said. But one of my correspondents sends me a book to prove that the statement which I made is not correct. This book is *The Ritual of the Altar*, published in the year 1870. I do not mention the name of the author. The author, addressing me, says that all these altar-cards are taken from his book, and his book is this—an edition of the Communion Service of the Church of England dovetailed into the service of the Mass; and his object in publishing the book, as I understand, is this—that clergymen while officiating before their congregations, according to the Ritual of the Church of England, shall use these prayers from the Mass—privately I suppose and not publicly, before their congregations. And this gentleman thinks I must be mistaken as to the altar-cards, because he says that in his book, which is so fully taken from the Roman Service, there are no prayers to the Blessed Virgin. Now, I find in the close of this book directions to the clergy, of the Church of England—be it remarked—as to the mode in which they are to use

the prayers in this book. In page 193 is the following passage:—

“The clergyman joining his hands and humbly bending forward says—I confess to Almighty God, &c., as in the ordinary of the Mass, and continues standing and bending forward until the servers or ministers have said certain other words, and when the confession is begun by the minister he stands upright.”

I then turn from that to the prayer which he directs to be said, and which most unwillingly, but obliged by the circumstances, I shall now read to your Lordships—

“I confess to Almighty God, to Blessed Mary, Ever Virgin, to Blessed Michael the Archangel, to Blessed John the Baptist, to the Holy Apostles, Peter and Paul, and to all the Saints, and to you my brethren that I have sinned exceedingly in thought, word, and deed. [here he shall strike upon his breast] by my fault, by my own fault, by my own most grievous fault.”

And then he proceeds—

“Therefore I beg the Blessed Mary, Ever Virgin, Blessed Michael the Archangel, Blessed John the Baptist, the Holy Apostles Peter and Paul, and all the Saints, and you my brethren, to pray to the Lord our God for me.”

If that is not an *ora pro nobis*, I do not understand the meaning of the English language or the Latin words which are on the other side. These are books and these are altar-cards which are used by members of the Church of England. I put it to your Lordships whether the statement to which attention has been drawn was not fully warranted, and whether I was not justified in expressing a hope that the members of the Church of England—those more especially who are called Anglican and who are among her most devoted adherents—would rise against this introduction of the Mass into her service. I should be sorry to speak with harshness of any clergyman of the Church of England. We have heard a good deal about the desirableness of addressing paternal remonstrances. It certainly does seem to me that those who have been deceived into these practices have been led away by some unwise, and to me unintelligible desire of uniting Christendom by adopting the worst errors of one branch of the Christian Church, from which our Church is separated. But I would most earnestly call upon them, with whatever paternal authority my office vests in me, to think seriously of what they are doing when, in the face of congregations of the Church of England, they venture to use the service of the Roman Mass, and

give no security that when they are speaking in a low tone to themselves they are not directly addressing the Blessed Virgin Mary and invoking her prayers on behalf of the worshippers present—who, I believe, if they knew what the minister was saying, would rise and leave the Church.

#### THE SUEZ CANAL.—QUESTION.

THE EARL DE LA WARR asked, if Her Majesty's Government could lay upon the Table of the House the Papers and recent Correspondence relative to the Suez Canal? The noble Earl said, that while he desired to abstain from pressing any question that would be inconvenient to Her Majesty's Government, he was quite sure that the noble Earl at the head of the Foreign Office would understand that there was not unnaturally a wish—doubtless on the part of their Lordships as well as of the public generally—to be assured that some arrangement had been or would be made which would place the future management of the Suez Canal upon such a basis as would permanently secure the commercial interests of this country.

THE EARL OF DERBY was understood to say that he had no objection to give the Papers for which his noble Friend asked, but that they were not at present ready for publication. They would, however, be laid on the Table before the close of the Session. He observed that there was a Motion which stood for next week in regard to the Suez Canal, when the whole question would be raised, and perhaps it was desirable that he should defer till then any remarks on the question to which the noble Earl had alluded.

#### TRAMWAYS PROVISIONAL ORDERS CONFIRMATION BILL [H.L.]

A Bill for confirming certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Birmingham, London, Newbery and Lamborne, Portsmouth, Wantage and Wirral—Was presented by The Lord DUNMORE; read 1<sup>st</sup>. (No. 50.)

House adjourned at a quarter past  
Eight o'clock, to Monday next,  
Eleven o'clock.

#### HOUSE OF COMMONS,

*Friday, 8th May, 1874.*

MINUTES.]—NEW WRITS ISSUED.—*For* Stroud, v. Sebastian Stewart Dickinson, esquire, and Walter John Stanton, esquire, void Election.

SUPPLY — considered in Committee — Resolutions [May 7] reported.

PUBLIC BILLS — *Select Committee* — Holyhead Old Harbour Road \* [51], Mr. Leveson Gower discharged, Lord George Cavendish added.

Report—Married Women's Property Act (1870) Amendment \* [12-96].

#### INDIA—MADRAS IRRIGATION COMPANY.—QUESTION.

MR. SMOLLETT asked the Under Secretary of State for India, with reference to the Question put to that Department on the 22nd February 1872, Whether the instalments due to the Government of India by the Madras Irrigation Company in repayment of debentures have been regularly made; and, if so, from what sources these payments are met, from money borrowed or from profits accruing from irrigation or canal dues; and, whether any negotiations are pending for the transfer of the entire works to the India Government, and upon what terms?

LORD GEORGE HAMILTON: Sir, the total amount of the debenture debt of the Madras Irrigation Company due to the Secretary of State for India was £600,000; of this amount £228,000 has been repaid as the instalments became due, leaving £372,000 still to be paid. The Secretary of State, however, has recently given, for reasons which it is not necessary to state now, an additional two years' grace for the repayment of these debentures. The previous repayments have been made with borrowed money, and no negotiations are pending for the transfer of the works to the Indian Government.

#### ORDNANCE SURVEY—HERTFORDSHIRE.—QUESTION.

MR. A. SMITH asked the First Commissioner of Works, Whether it is true that the Ordnance Survey of Hertfordshire has been suspended; and, if so, when the work will be resumed?

LORD HENRY LENNOX, in reply, said, he regretted that it was true the survey of Hertfordshire had been suspended; but he hoped it would shortly

be resumed in connection with that for the county of Essex.

**PUBLIC HEALTH ACT—WATER SUPPLY.**  
**QUESTION.**

**MR. WHALLEY** asked the Secretary of State for the Home Department, Whether he is prepared, if duly requested by local authorities, to afford the aid of the Government, through the agency of the Board of Health or otherwise, to obtain reliable information and promote arrangements for a better supply of water in those cases where it may be expedient to combine several towns or districts under one comprehensive system of water supply?

**MR. SCLATER-BOOTH**, in reply, said, that the Local Government Board was empowered by the 26th section of the Public Health Act to combine several sanitary districts into one for the purpose of procuring a common water supply. In the event of their being requested to do so, the Local Government Board would be most happy to furnish any information or render any assistance in its power to promote the desired effect.

**INTOXICATING LIQUORS BILL—THE LICENSING SYSTEM.**  
**QUESTION.**

**MR. SULLIVAN** asked the Chief Secretary for Ireland, When he proposes to lay upon the Table the Clauses affecting the licensing system in Ireland which he has stated he intends to move for insertion in the Intoxicating Liquors Bill recently introduced by Government; and, whether he will afford the people of Ireland as long a period to consider those Clauses as the people of England have had to consider the Intoxicating Liquors Bill affecting them?

**SIR MICHAEL HICKS-BEACH** said, that on Monday next he would lay on the Table the clauses affecting the licensing system in Ireland intended for insertion in the Intoxicating Liquors Bill. He, however, feared it would not be in his power to afford the same time to the Irish people for considering them as the English people had had for considering the Bill of his right hon. Friend; but then one of the most important proposals in the Bill of his right hon. Friend was not intended to apply to Ireland—that which related to

the hours of closing. The chief clauses of the Bill which he proposed to extend to Ireland were the 6th, with regard to early closing licences; the 11th and 12th, with regard to the record of convictions and penalties; the 13th and 14th, with respect to the regulations as to the right of entry into premises; the 15th, 16th, and 17th, with respect to occasional licences; and certain other clauses, the most important of which were two—one which provided for Ireland the same power of granting exemption from closing for the convenience of fairs, markets, and certain trades, as in England, and another, which would afford a more complete registry of licences than at present existed.

**SCIENCE AND ART—THE NATIONAL GALLERY.—QUESTION.**

**MAJOR BEAUMONT** asked the First Commissioner of Public Works, If he has had under his consideration the Correspondence relative to the floors of the new buildings for the National Gallery, which was laid upon the Table of the House last Session and printed (No. 294), and if, for the sake of security from fire and of decoration, he intends to substitute mosaic for wooden floors?

**LORD HENRY LENNOX**, in reply, said, his attention had been drawn to the Correspondence in question; but that it was not his intention to reverse the decision of his predecessors, the more so that that decision was in entire accord with the wishes of the Trustees of the National Gallery.

**NEW WRITS.**

**MR. DISRAELI**: I beg, Sir, to move, "That the Orders of the Day be postponed until after the Notice of Motion relative to the Stroud Writ." While I make that Motion, I may be allowed to give Notice of the following, which I will put on the Paper:—

"That every Motion for a New Writ, of which Notice has been given, pursuant to the Resolution of the 30th day of April last, be appointed for consideration before the Orders of the Day and Notices of Motions."

*Motion agreed to.*

**PARLIAMENT—BOROUGH OF STROUD**  
**—ISSUE OF NEW WRIT.**

**LORD KENSINGTON** moved the issuing of a new Writ for the Borough of

*Lord Henry Lennox*

Stroud in the room of Mr. Sebastian Stewart Dickinson and Mr. Walter John Stanton whose election had been determined to be void.

Motion made, and Question proposed,

"That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of Members to serve in this present Parliament for the Borough of Stroud, in the room of Sebastian Stewart Dickinson, esquire, and Walter John Stanton, esquire, whose Election has been determined to be void."  
—(Lord Kensington.)

MR. C. E. LEWIS, in rising to move an Amendment,

"That no new Writ for the electing of Members to serve in this present Parliament for the Borough of Stroud be issued until after the shorthand writer's notes of the Evidence and Judgment have been laid before this House."

said, that very few words of his would be sufficient to show that the course which he recommended was in accordance with established precedent, and was not only consistent with the proprieties and necessities of the case, but that if the House pursued any other, it would be reversing the policy which it had adopted during the last two or three Parliaments in order to put a check to bribery and corruption. The Amendment proposed the delay of the Writ not for an indefinite period, but until the House had an opportunity of reading the evidence upon which the judgment was founded. By the 31 & 32 *Vict.*, c. 125, sec. 11, the Judge was required to report whether corrupt practices had, or there was reason to believe they had, extensively prevailed at the election, and the same section went on to empower the Judge to make a special Report as to whether anything had occurred which ought to be submitted to the consideration of the House of Commons. The Report of Baron Bramwell, which was laid on the Table on Monday last, contained these words—

"I further report that corrupt practices have extensively prevailed at the election to which the Petition relates."

It would be observed by the House that that was the most severe form a Report could assume as regarded a constituency. With respect to the individual Members, the Report stated that, though they were unseated for treating, it was treating without their knowledge, but for which the law made them responsible. If the Report stopped there, what would have

been the duty of the House in its desire to check corrupt practices at Parliamentary Elections? Would it have been its duty, or consistent with its practice, to take no notice of such a severe Report. He apprehended the answer to that question must have been most decidedly in the negative. The House could not have been silent, nor could it have issued the new Writ without taking notice of the subject matter included in the Report. How was the matter changed by the particular facts reported by the Judge? It was only fair to the constituency that he should state exactly what they were. The learned Judge said—

"The facts and reasons on which I report this are the following:—On and before the day of the Election, beer, bread and cheese, tea, coffee, and meat, were provided for and given to voters. These were consumed by a very large number of voters and others. The portion that each voter had was probably of trifling value; but the voters who were thus treated were generally poor labouring men. And when it is remembered they were wholly illiterate, knowing little more of the matter than that one party was called yellow and the other blue, incapable of understanding that they had any duty in relation to their vote, it is impossible to doubt that this treating not only had a strong influence in causing them to vote for those in whose favour the treating took place. And also it is impossible not to find, that those who gave and provided this entertainment, did so to cause the voter to vote for those in whose favour it was provided. It follows that this being the motive or one of the motives, or at least the contemplated result of the treating, it was corrupt."

He would refer to the next paragraph presently. He wished merely to call the attention of the House to the fact, that it was clearly on those grounds that the Judge made that Report against the constituency, and he desired, in passing, to point out that the Judge did not express it as a matter of doubt or belief, but that he found it as a fact, that corrupt practices did prevail. There were, however, two others matter of an important character. In the first place, he wished to call attention to the preceding—the second paragraph of the Judge's Report, which was to the effect that—

"There was evidence before me to show that many persons were guilty of corrupt practices at the election; but as the Respondents gave up their defence, confessing the determination of the Petition must be against them, did not call all the witnesses they otherwise might have called, the persons against whom such evidence was given were not heard. I cannot therefore find that corrupt practices were proved against them, and ought not to return their names as persons against whom corrupt practices were



proved. Their names will be found in the shorthand writer's notes."

Upon that part of the Report he would make no observation; but he could not help saying, that apparently, judging from it, it was quite clear that the whole truth in connection with the Election had not come out. The case was cut short by the submission of the respondents, and he believed the petitioners' case had not been closed when the respondents submitted. Another special matter was mentioned in the last paragraph of the Report in these terms—

"I have further to report that there is reason to believe that Edward Stevens, Henry Asher, and three other persons, whose names I cannot give with certainty, absconded from the neighbourhood of Stroud to prevent an inquiry into a charge of bribery by Stevens of the four other persons."

In other words, an inquiry which had been instituted in due course of law had been intercepted as regarded the alleged bribery, to which five persons were said to be parties, by the absconding of those persons from the neighbourhood of the place where the Judge held the inquiry. He wished the House to consider whether the issuing of Writs where elections had been decided to be void on account of bribery and treating, ought to be left to a scramble and a chance division as each case arose, or whether the House should endeavour to act on some definite principle, so that the decision in a particular case might not wear a party aspect, and all delinquent constituencies might be treated alike? There was a principle upon which the House had already acted, and it was that where a Judge had found, in the words of the statute, that corrupt practices had extensively prevailed, the Writ should not issue, until the House had been informed of the materials upon which the Judge came to the conclusion. All that he asked the House to do now was simply that—to hold its hand until it was in possession of the evidence; in order that it might be seen whether it was necessary that anything further should be done to vindicate the law of purity of election; or whether this was one of those exceptional cases in which it would be right to issue a Writ, and not to keep the constituency any longer in suspense. He could suppose cases in which the detailed Report might draw the sting of the report that corrupt practices had exten-

sively prevailed; he could suppose a case such as that of Norwich, in which the Report might be so specific and detailed as to put them at once in possession of the materials necessary for forming a judgment on the case. In this case, however, it did not at present appear how many persons had been treated, and the inquiry had been baffled by the premature submission of the respondents, and by the absconding of the persons charged with bribery. He had searched the Journals of the House with reference to the course pursued after the General Elections of 1865 and 1868 in similar cases. There was no case in 1865 where corrupt practices had extensively prevailed, in which a Writ was issued immediately, before the publication of the evidence, and its circulation among Members. In the four cases of Brecknock, Hereford, Stafford, and Westbury, in which the Members were turned out for corrupt practices on the part of their agents, Writs were issued immediately, before the evidence was printed; but the words of the Report were directly negative of the words of the statute, and it was declared that there was no evidence of corrupt practices having prevailed extensively. In the cases of Bewdley, Bradford, Drogheda, Youghal, and Dublin City, the Writs were delayed until the evidence was printed, although in no case, was the Report in the direct words of the statute, which were but partially adopted. In 1866, in the four cases of Devonport, Helston, Windsor, and Nottingham, where the Members were unseated for bribery, or treating by their agents, Writs were issued immediately; but in each case, the Report negatived the prevalence of corrupt practices. In the one case of Bridgwater, the Report was laid on the Table on the 25th of April, and the Writ was not issued until the 31st of May; but in that case, as in that of Stroud, it was reported that corrupt practices prevailed extensively; and the Writ was not issued, until the evidence had been five weeks before the House. The course which was now suggested was, therefore, abundantly established by precedent. It was, however, only right to say there was a palliating sentence in the Report, which was—

"But I feel bound to add that it was done so openly, at least in most of the instances, I am satisfied that those who were guilty of it had

in some way persuaded themselves that it was not unlawful."

If that were not the statement of a learned Judge, he should describe it as somewhat *naïve*. Many persons were in the habit of treating conduct as not being unlawful, when they thought it would, perhaps, not be found out, or not punished. At its best, the paragraph was a double-edged sword; for though it might absolve the guilty from the charge of wilfully breaking the law, it might imply that corrupt practices were so wide-spread, and had prevailed so long that people had become accustomed to them. One mitigating circumstance, however, might be pleaded, and that was, that full effect ought to be given to the circumstance that Stroud was not a place with an unsavoury history, like Bridgwater, Youghal, Windsor, and Lancaster. That was, he believed, the first Petition against Stroud; and one could not help recollecting that it had been represented in this House by a noble Lord who now adorned "another assemblage" (Earl Russell); by a right hon. Gentleman still a Member of that House (Mr. Horsman); and in the last Parliament by an hon. Gentleman whose talents were admired and thoroughly appreciated (Mr. Winterbotham). He thought, therefore, such a constituency which had been so represented in that House might fairly claim favourable consideration under the particular circumstances of this case. He had not travelled out of the four corners of the Judge's Report, and had not sought to aggravate the case by introducing into it any outside elements. What, then, was to be done? He should very much mistake the temper of the House, if there was any indisposition to stay their hand till they had possession of the evidence, or, at any rate, until the particulars had been received. He would not press the question upon the House; but he thought that it was a case in which responsibility must rest on the House and its recognized Leaders; and he hoped more general and impartial rules would be laid down which would prevent these questions being made the mere shuttlecock of party, and at the same time protect the character of the House for sincerity and straightforwardness in putting down corrupt practices. There was nothing in the circumstances of the anticipated contest for Stroud which

should give it greater interest on one side than on another. Stroud had long been considered one of those robust Liberal constituencies which could not be moved by a Conservative candidate, and for years it had resisted every effort. It had, indeed, rather changed of late; but there was nothing in the present circumstances of the borough to give any party tinge to this question. He hoped they would, at all events, have the advice on this subject of the Law Officers of the Crown and of those who were the recognized Leaders on both sides of the House, and that in the result it would be impossible to say that the House had wilfully shut its eyes to the existence of corrupt practices as reported by the Judge who tried the Election Petition, and positively refused to delay issuing the Writ for a few days till the evidence on which the Judge had reported was placed in their hands. The hon. Gentleman concluded by moving the Amendment of which he had given Notice.

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "no new Writ for the electing of Members to serve in this present Parliament for the Borough of Stroud be issued until after the shorthand writer's notes of the Evidence and Judgment have been laid before this House,"—(Mr. Charles Lewis.)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR HENRY JAMES said, that although the Motion was proposed by the noble Lord the Member for Haverfordwest (Lord Kensington) there was no desire on that side of the House to press it forward in a party sense. The hon. and learned Gentleman the Member for Londonderry (Mr. Lewis) had called the attention of the House to circumstances which, in his opinion, would justify the suspension of the Writ, and he quite agreed with the hon. and learned Gentleman when he suggested that the House would do all it could to stay corrupt practices; but it was certainly incumbent on him to show that from the suspension or delay of this Writ, some practical benefit would accrue. This question must be dealt with—they were bound to consider the constituency to some extent. Technically, the consti-

tuency had a right to be represented in that House, and substantially, it should not be kept from being represented, unless for good reason. If the House allowed him briefly to call attention to the statutes affecting the subject, he thought he would be able to show that, if the proposed delay took place, no possible step could be taken afterwards. It would be observed that the whole tendency of the hon. and learned Gentleman's argument was, that the House should have an opportunity of reading the evidence taken before Baron Bramwell in the Stroud Election Inquiry; but he did not tell them what subsequent steps the House could take. Hon. Members were aware that the power of investigating such matters was by recent legislation removed from the House and vested in the Judges of the Superior Courts. Now, so far as he was aware, there was only one step the House could take after receiving the Report of the learned Judge who tried the Petition, and that step could only be taken when the Report took a particular form. They could not re-try the Petition. They could not enter into any question as to whether or not witnesses had absconded. They could not deal with any fact reported to them unless the Report was in a particular form; and then, if they came to the conclusion that the Report of the Judge was correct, they must act in accordance with the Report. The Act that regulated the matter was passed in 1852, and, with much deference to the hon. and learned Gentleman, he thought if he had referred to that statute, he would have found that in the present case they could take no practical step whatever after reading the evidence. The Report of the learned Judge stated—

"I further report that corrupt practices have extensively prevailed at the Election to which the Petition relates," and added "the facts and reasons on which I report this are the following."

He then proceeded to state in what form the corrupt practice of treating prevailed. He stated that treating, the corrupt practice to which he referred, extensively prevailed. Now, suppose they found in the evidence that the Report of the Judge was entirely sustained by the evidence, what step could the House take? The hon. and learned Member had referred to many precedents and instances; but he had not referred to any proceeding that had ever taken

place on a similar Report to this. And for obvious reasons. All they could do in any case was to appoint a Commission to inquire into corrupt practices; but any Commission they might appoint had no power to inquire into corrupt practices which simply took the form of treating. It was very strange that it should be so, but such was the state of the law; and the result was, they had no power to inquire into anything but bribery. Consequently, there had never been any instance in which an Address had been presented praying for an inquiry into treating. He therefore asked the hon. and learned Member what he proposed to do when they had the evidence. They might read it, they might study it, they might give their opinion that the conclusion come to by the learned Judge was right or not; but—and he spoke under the correction of the Law Officers of the Crown—they could do no more. They could not inquire any further. They could not issue a Commission that would have any effect. If that were so, he asked the House, what would be the result of suspending the issuing of a new Writ? They could do nothing. He was anxious not to be misunderstood. He did not think treating was a trivial offence; but, unfortunately, it did not come within the corrupt practices that could be inquired into by a Commission. An alteration of the law might be desirable, and if the hon. and learned Member moved in that direction, he might rely on his support. Inasmuch, however, as at present treating could not be inquired into, and consequently as no practical result could come from the proposed delay, he thought the Amendment should not be pressed.

MR. STAVELEY HILL said, that the argument of the hon. and learned Member for Taunton was, that a Commission could not inquire into treating, and that, therefore, they ought not to send down a Commission. But under the 1st and 2nd sections of the Act of 1852 the two Houses might address Her Majesty to send down a Commission when it had been reported that corrupt practices had extensively prevailed. Baron Bramwell, in the case of Stroud, did not limit his finding to the existence of corrupt practices in respect of treating only, but added that there was reason to believe that certain persons had absconded from the neighbourhood to prevent a charge

*Sir Henry James*

of bribery against a person named Stevens. Therefore, under the terms used by Mr. Baron Bramwell, there were grounds for a Commission to issue. But the hon. and learned Member for Taunton said that the Judge based his decision only upon certain treating. That finding, however, did not limit the previous finding of the learned Judge, that corrupt practices had extensively prevailed in the borough. But even if that were so, the hon. and learned Gentleman had overlooked the last paragraph of the Report, because in that Mr. Baron Bramwell did not limit his finding to treating, and therefore there certainly was a *prima facie* case for a Commission to issue. The House might look leniently upon the borough of Stroud because it had been well represented, and there had been no previous conviction against it; but he could not agree with the hon. and learned Member, that upon a Report such as this the House was in any way bound to issue the Writ at once.

MR. J. R. YORKE said, it was not the fact that in all cases where it had been reported that corrupt practices extensively prevailed a Commission had been issued. He was a Member of an Election Commission for bribery in the case of Galway, which sat in 1866, which did not unseat either of the Members, although they found that corrupt practices extensively prevailed. He thought at that time that some action on the part of the Government would follow in the way of moving that a Commission should issue, and he had asked a Question on the point, of the right hon. Gentleman Sir George Grey, then Home Secretary, who answered that it was not the intention of the Government to move for a Commission, but that if the Chairman of the Committee, or any other Member moved for it, the Government would give the Motion their support. He thereupon communicated with the Chairman, who declined to move in the matter, and the whole thing dropped through. He quite agreed that some principles should be laid down on the subject. Either the Government should undertake the matter, or there should be some self-acting rule by which certain words in a Report should be held to be sufficient for a Commission to follow. In the present case, as the only independent Representative of Stroud now in the House, he

might be allowed to add that it had been eminently distinguished for the character and ability of its Representatives, and until now not a single word had been heard against the purity of its elections. No doubt, a clerk in a local bank and four working men who had been brought into communication with him had absconded, and Baron Bramwell was amply justified in reporting the circumstance. But although the treating which prevailed on the present occasion, —which was the result of over zeal on the part of certain young ladies and Dissenting clergymen—and although the absence of these persons were suspicious, they hardly constituted a sufficient ground for the issue of a Commission, and he trusted that the House would allow the borough to proceed to the election of new Members without further delay.

THE ATTORNEY GENERAL said, he entirely concurred in the hope and belief expressed by his hon. and learned Friend the Member for Londonderry (Mr. O. E. Lewis), that this question would be approached without reference to party feeling. He had endeavoured to do so himself, and having given his best consideration to the Report of the learned Judge and to the law on the subject, he was unable to arrive at the same conclusion with his hon. and learned Friend. It was not a case in which the House would, he thought, be of opinion that the issue of the Writ should be suspended. It was only in extreme cases that the House would suspend the issue of a Writ, with the view of issuing a Commission under the Act of 1852, and its practice was not to suspend it even for a few days unless it was of opinion, from the facts before it, that there was a *prima facie* case for issuing a Commission. He very much doubted whether the corrupt practices reported on by the Judge were such as Commissioners appointed under the Act could properly inquire into; but assuming that, upon an Address from both Houses of Parliament, Her Majesty should appoint Commissioners, and that the Commissioners so appointed should make the inquiry, he ventured to ask the House whether it thought that, even if all the alleged facts were established, the case was one in which the borough of Stroud should be visited with heavy punishment. It appeared from the Report of the learned



Judge, that although treating extensively prevailed, the parties concerned were under the impression that they were not doing anything which was unlawful. It was also admitted that Stroud was a borough respecting which there were no unpleasant recollections; and for all these reasons he trusted the hon. and learned Member for Londonderry would consider he had sufficiently discharged his duty by bringing the matter forward, and would consent to withdraw his Amendment.

MR. FORSYTH said, he was sorry to differ both from the hon. and learned Gentleman the Attorney General and the hon. and learned Member for Taunton (Sir Henry James). On one point the hon. and learned Mover of the Amendment was mistaken; for by the Act of 1868 it was imperative in the case of Election Petitions that a copy of the evidence should accompany the certificate to the Speaker, and there was no doubt it did so in this case. What the hon. Member probably meant was that the evidence should be printed. But the reason he differed from the Attorney General was this. The statute said, that when it was found that corrupt practices had extensively prevailed—and those were the very words used in the present instance—the same consequences should follow as followed while the House retained its jurisdiction in these cases. The Act of 1852 showed what those consequences were. On a joint Address of both Houses of Parliament a Commission might be issued. He was by no means contented with the exposition of the law so authoritatively laid down by the hon. and learned Gentleman the Member for Taunton. He did not say that the hon. and learned Gentleman was wrong; but he was not satisfied that he was right. The Commissioners would go down to inquire into corrupt practices generally, and as they were appointed on a joint Address by both Houses of Parliament, the scope of their inquiry would not be limited to the exact terms of the finding of the Judge. He could not help thinking that under the circumstances it would be premature to issue a new Writ at once.

SIR WILLIAM HARCOURT said, that because a Judge reported that treating had extensively prevailed, to issue a Commission to inquire into bribery was very much like a magistrate

committing a man for larceny and a Judge trying him for murder. But for the high authority of the hon. and learned Member for Marylebone Mr. Forsyth, he should be very much disposed to doubt whether this was the law. The question was, whether the Commission, if appointed, would have the power to inquire into the question of treating. He was sorry to say he thought they could not do so, for that was a power which they ought to possess. No one in that House would contend that treating was not as heavy an offence as bribery. He considered it was a more insidious and a meaner method of corrupting a constituency than bribery—[laughter]—and that it ought to be dealt with by the law quite as severely. He was sorry to find that there were hon. Gentlemen who were not so anxious to put down treating as he was. Another question was, whether the 6th section did or did not apply to it. The hon. and learned Member for Marylebone had quoted two lines from the beginning of the section; but if he looked at the end of it, he would find that such Commissioners should from time to time report to Her Majesty the evidence taken by them, and what they found concerning it, and also the names of all persons guilty of corrupt practices, as well as those who had given bribes for the purpose of purchasing the votes of others, or had themselves received money or other valuable consideration. Every word in that section applied to bribery, and there was not a single word which would give the Commissioners power to report on treating. If the hon. and learned Member for Londonderry was so anxious about this matter, why had he not made that Motion in the case of Wakefield, where bribery was not only reported to have extensively prevailed, but where eight persons were scheduled as bribers by the Election Judge, instead of reserving it for this case, where there were only two?

THE ATTORNEY GENERAL FOR IRELAND (DR. BALL) said, he thought that according to the Act, the Commissioners had the power of calling before them every person in the place adjudged guilty of bribery and treating, and could proceed backwards through all preceding elections until they found a pure election. He had sat on one of those Commissions himself, and well knew what sort of an

inquiry it was. It was unlimited in its range, capable of being applied to every person, altogether exceptional, and only to be resorted to when the Report of the Election Judge showed the clearest ground on which to found it. Now, what was the Report in the present instance? It said there was no doubt treating; but it was accompanied by a statement from the Judge that most of the persons concerned in it, both those who received and those who gave, appeared to him not to view it as an unlawful act. As regarded bribery there were one or two isolated instances, and one person had absconded. Those were not sufficient grounds on which that House ought to apply to Her Majesty's Government to put in motion powers of an exceptional nature, which were justified only in very flagrant instances of bribery and corruption. He therefore believed the present case was not one demanding such a harsh course of procedure as had been called for by the hon. and learned Member for Londonderry.

MR. SPENCER WALPOLE said, the subject had been argued as if it were a question of issuing a Commission. The House had always been very desirous, when there was an allegation that corrupt practices had extensively prevailed, to take the fullest opportunity of judging of the whole question before they determined what steps should be taken, and whether a Commission of Inquiry should issue or not. The only issue raised by the present Amendment was, whether, on the information which the House had before them now, and which consisted solely of the finding of the Judge, without any of the evidence, they were to determine that a new Writ should issue at once. The statement of the Judge was, that corrupt practices extensively prevailed at the late election. There was also an allegation that among those corrupt practices there might have been bribery as well as treating, and, according to the provisions of the Act of Parliament which tried to put down corrupt practices, treating was an offence which incapacitated any candidate proved to be guilty of it from voting again at a subsequent election. It was important that the House should be in possession of evidence in support of these facts before they determined that there was no case made out for suspending the Writ, and that it should be issued forthwith.

Could any harm happen if the Writ were suspended for three or four days? If the facts were as the hon. and learned Member for Taunton seemed to think, then probably the opinion of the House would be that the Writ ought to be issued; but if corrupt practices extensively prevailed, the House should take notice of the matter. At all events, they would lose nothing by suspending the issue of the Writ for a few days.

MR. DISRAELI: I am sorry, Sir, the opinions of hon. Gentlemen of the long robe have not been uniform, for I, and I am sure the House, have every wish to be guided by their superior experience and learning. It struck me there was this fallacy in the remarks of the right hon. Gentleman who has just addressed the House, and who upon all subjects, but especially those affecting our constitutional rights, is listened to with the greatest attention. The right hon. Gentleman argued the case as if the recommendations had been founded on the Report of an Election Committee, not on the Report of a Judge. The fact is, that we are to take the judgment of the Judge upon the evidence, and upon that judgment we must really rest our conclusions. With regard to the Motion of the noble Lord, I am myself indisposed to arrest the issue of a new Writ where there is a feeling—I will not say a thorough conviction, but a general feeling—in the House that we should not in the case have recourse to ulterior proceedings. I think the character of the borough ought to be considered, and, as the opinions of hon. Gentlemen of the long robe are so various, we must look to considerations of that kind. I rest upon the opinion given by the Judge on the evidence. The Judge has given us that opinion to guide us, and on the whole I am disposed to think it is our duty not to oppose the Motion for issuing a new Writ for the borough of Stroud.

MR. BERESFORD HOPE thought that was a question which ought not to be precipitately decided. The balance of the opinions which had been stated was to the effect that if the borough of Stroud had made a lapse, it might say, like the young lady in a scrape, that it was a very little one. At the same time, after the Report of the Judge, a good deal might be said in favour of not issuing the Writ—that was, if the Reports of Election Judges were worthy of the

respect of the House. As an amicable way of getting out of the difficulty, he would suggest that the debate be adjourned. ["Oh, oh!"] If the House would not accept that suggestion, he should not put it to the trouble of a division; but if they did, it would be letting the borough of Stroud down easily, and yet showing that it had some regard for the purity of election and for the Reports of the appointed Judges. It would also give the House an opportunity of forming its own conclusions upon the whole of the evidence before it took a decisive step.

MR. C. E. LEWIS said, that having regard to the opinion expressed by right hon. and hon. Members on the two front benches, to whom he appealed with reference to the proper course to be pursued, he thought it would only be consistent with the tone he had throughout endeavoured to assume, if he said he would prefer not to press his Amendment.

Amendment, by leave, *withdrawn*.

Main Question put, and *agreed to*.

*Ordered*, That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of Members to serve in this present Parliament for the Borough of Stroud, in the room of Sebastian Stewart Dickinson, esquire, and Walter John Stanton, esquire, whose election has been determined to be void.

#### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

#### DWELLINGS OF WORKING PEOPLE IN LONDON.—RESOLUTION.

MR. KAY-SHUTTLEWORTH, in rising to call the attention of the House to the urgent importance of the problems connected with the present condition and future improvement of the dwellings of working people in London, and to the memorials on this subject lately presented to Her Majesty's Government by the Royal College of Physicians and by the Council and Dwellings Committee of the Charity Organization Society (Sessional Paper, Nos. 118 and 127); and to move—

*Mr. Beresford Hope*

"That, in the opinion of this House, a necessity exists for some measure that will provide for the improvement of the poorest classes of dwellings in London, and that this question demands the early attention of Her Majesty's Government,"

said: \* I can say with perfect sincerity and earnestness that I regret that such an important subject has not fallen into abler hands than mine, and I must explain to the House briefly how it comes to pass that this subject is in my charge. Some time ago, in the late Parliament, I drew the attention of the House on more than one occasion to the state of our system of water supply in London; and I became conscious from the study of that subject of the great difficulties which stood in the way of any reform on account of the very defective condition of a large proportion of the poorer habitations. Last year, at the commencement of the Session, in common with many other Members of both Houses of Parliament, I received an invitation from the Charity Organization Society to serve on a Committee appointed to inquire into the state of the dwellings of the poor. It was in the course of the deliberations of that Committee, and in consequence of the evidence which was laid before us, that I became aware of the real magnitude and national importance of this question. And, after waiting to see whether any other Member of the House would bring it forward, I determined with the concurrence of that Committee, to give Notice of the Resolution which I am now about to move. Moreover, the two memorials to which I call attention have been prepared and presented to the Government—one by the Royal College of Physicians, the other by the Charity Organization Society; and these have been followed by a correspondence in some of the public journals, which appeared to me to bring the subject into so ripe a condition that it might be promptly dealt with by Parliament. If I needed any justification of the course I am now pursuing, in asking the attention of the House to this question, I should find it in the speeches of right hon. Gentlemen on the opposite benches. The right hon. Gentleman the Secretary of State for the Home Department (Mr. Cross), in introducing his Licensing Bill the other day, dwelt earnestly on the necessity which existed for improved habitations for working people. Again, the

right hon. Gentleman the Chancellor of the Exchequer (Sir Stafford Northcote), in explaining his Budget, used language on this subject which led one to hope that he was about to sketch out some measure by which the long-wished-for result of improving the dwellings of the working classes might be achieved. To go back a very little further, Lord Derby, in his speeches in the North of England, has repeatedly called attention to these sanitary questions. And the right hon. Gentleman who is now at the head of Her Majesty's Government, in laying down his programme at Manchester, adopted as his motto—"*Sanitas Sanitatum, omnia Sanitas.*" However, the right hon. Gentleman confined himself to words, and the country is now in expectation of the acts which ought to follow on those words. Sir, if it should be the good fortune of the Government who now occupy those benches to legislate wisely on sanitary matters, especially as regards the habitations of the working classes in London, they will not only confer enduring benefit on the metropolis, but will surround their names with lustre, and the history of their Administration with credit. If hon. Members wish to have an authoritative statement with regard to the special needs of London for improvement of the dwellings of the working classes, I will refer them to a Report prepared and presented in 1865, by Mr. Simon, then the Medical Officer to the Privy Council and now to the Local Government Board, in which he named numerous towns in which the poorer houses were practically unfit for human habitation, but said that they were worst of all in London and five other towns—Bristol, Merthyr, Newcastle, Plymouth, and Sunderland. To step down from that very high authority to the very humble authority of the Member who is now addressing the House, I have made it my business during the past few weeks to visit various parts of London and to see for myself to what extent the evil existed. Amongst other parts, I have been to courts in the neighbourhood of Holborn, pretty nearly all over the parish of St. Giles, through the neighbourhood of Drury Lane, and also through one of the very worst portions of London—the district called Bedfordbury—but which I hope hon. Members will not connect with the name of the

Duke of Bedford, whose property is of a very different character. I could not describe to the House the full details of what I saw in the course of my visit to those localities. Hon. Members in taking short cuts through the town, as, for instance, in the neighbourhood of Lincoln's Inn, may, perhaps, see places in which they would be very sorry to have to reside; but I do not think that they have any real idea of the character of large masses of the dwellings which exist in our immediate neighbourhood, nor is any such idea possessed by 99 out of every 100 of the wealthy inmates of luxurious West End houses. Sir, I myself had no better knowledge of the true state of the homes of thousands of the people who live around us until I visited some of them recently. I will just tell the House two or three of the things which I saw during my excursions into these comparatively unknown regions. In the first place, there are a great many courts which are not only extremely narrow in themselves, but are approached by tunnels passing under other houses. These houses close one end of the court, and the other end is also completely closed up, so that it is impossible that the houses in the court should have any ventilation. There are other houses which are built back to back, so that no air can pass between them. There are other houses which are, perhaps, even worse than these, because, though a very narrow space is left between their backs, this space is almost dark, and at its base is filled with everything that is filthy and abominable; consequently the air that enters these dwellings from the rear is anything but pure, and is constantly liable to be laden with the most offensive odours, and with the germs of disorder and disease. There are some houses the fronts of which look closely upon the backs of the opposite houses, and hon. Members can easily imagine what must be the consequence of that arrangement, because, of course, the sanitary offices—if the term "sanitary" can be properly applied to them—of all the opposite houses are immediately under their windows. The construction of these houses is antiquated and utterly bad. Possibly some hon. Members would be surprised to learn that among the mischiefs of which complaint has to be made are the following:—I saw a row in Bedfordbury



that is entirely built of wood; and many of the houses in the neighbourhood of Drury Lane are built of mere lath and plaster. Not only must such dwellings be dirty and unfit for human habitation, but in the event of a fire breaking out during a strong wind, it is quite impossible to say where the consequences might end. Many of the houses I have described, and probably all of them, were built before any Building Act existed for London. We have now a Building Act for the Metropolis, the defects in which I am glad to see we are to attempt to remedy by the Bill which the hon. and gallant Member who represents the Metropolitan Board of Works (Colonel Hogg) has brought in. When the houses to which I refer were built, no sanitary arrangements of any kind were enforced. The dwellings were often erected in back yards and in gardens; and, consequently, the means of approach to them were most inconvenient and most inadequate. [The hon. Member having read a vivid description of the condition of some districts of the metropolis — “places unfit for human habitation—places in which by common consent even moderately healthy life is impossible to human dwellers,”—from the 8th Report of the Medical Officer of Privy Council, 1865, page 13; and similar testimony to the state of things existing in 1874 by the Medical Officer of Health of the Whitechapel District Board of Works and the Medical Officer of Health of St. Marylebone proceeded to say]—Now, with respect to these poorest houses in London — they fall under two heads—they are either improvable or they are unimprovable. The houses which fall under the following category may be considered past all improvement. First of all, those which stand back to back, or in so confined a space as to be incapable of free ventilation; secondly, those old tumble-down houses which are not worth spending money upon; thirdly, those that are built of wood or of lath and plaster; and fourthly, such as are incapable of having proper sanitary arrangements provided for them, one for every family, or at least one for every two or three families. Well, in what I have been describing to the House, I have been describing large areas available as sites for building improved dwellings for the working classes; for all those great spaces which are now

covered by those bad dwellings could shortly be made use of if they were cleared, and would be made use of, if Parliament said clearly that they should be used for proper habitations for the poor. But there is another class of sites which exists in London, and in referring to them I shall appeal to the authority of my hon. Friend the Member for Maidstone (Sir Sydney Waterlow), the late Lord Mayor of London, who has identified himself so honourably with the movement for providing better habitations for the poor, and who can tell the House more than I can with respect to this subject. In April, 1872, in a letter which he wrote to *The Daily News*, he described the existence in London of large waste places, and explained what a mistake it was that they should exist, for the sake not only of the people who live in them, but of the owners of the adjoining property. This is what he describes in April, 1872.

“Commercial Street—Shoreditch to Whitechapel—was opened in 1862; Southwark Street in 1862; and in both streets large plots of land still remain uncovered. The new Farringdon Road is another case in point. It was opened in 1858, and very little of the surplus land has yet been built upon. The frontages are from one end to the other almost a dreary waste; the loss in the interest of the money alone amounts to nearly the whole of the principal; so that even were the land to be now sold for double what it would have fetched in 1858, the Corporation would only just recoup the loss sustained by this 14 years waiting. Meanwhile other and more serious losses have been going on. The district has lost the whole value of the parochial rates and taxes which would have been paid on inhabited houses; it has lost the increased value on the surrounding property which increased trade would have brought.”

Now, if any hon. Member will walk through Farringdon Street and near the Holborn Viaduct, he will still see large spaces of this kind surrounded by buildings; these spaces lying waste, to the injury not only of the Corporation or other persons who may own the land, but of the occupiers of surrounding property, the shopkeepers, the ratepayers, and above all, of the working classes, who are living over-crowded in the neighbouring parts of London. I have a letter which was kindly addressed to me by the Surveyor of the Trustees of Mr. Peabody, which shows that there also exist other sites, some of the class I first mentioned, some of the class I last mentioned, and some partly of the one class

and partly of the other, which though they exist cannot be obtained by those anxious to build for the working classes. I think I am justified in reading this statement to the House, coming as it does with all the authority of the Peabody Trustees. The letter says—

“There are many large sites in and around London, suitable for dwellings for working men, and such sites have been in the market for years unsold, simply because the price asked is far above the value. I know of one in Lambeth for sale since 1868, in which year I offered a fair price for the Peabody Trust. There are now unsold several suitable sites in Westminster, one in Goswell Street, one in Whitechapel, one in City Road; land in Westminster little used belonging to trustees who cannot sell without compulsory powers; land in Paddington kept in a useless state by an old man quite incapable of dealing with his property, and this land is in a situation much wanting help with clean houses; a property in Westminster consisting of two plots of land, both too small to be dealt with separately, but having some of the worst houses in Westminster between the plots. These houses cannot be purchased without compulsory powers.”

The statement which I have quoted shows the existence of sites to a large extent which might be used for the purpose of building proper dwellings for the poor. There are other spaces also which might be made available, where, under the Artizans' and Labourers' Dwellings Act, 1868, passed by my hon. Friend the Member for Finsbury (Mr. W. M. Torrens), the Medical Officers of Health have stepped in and have moved the vestries to demolish buildings unfit for habitation. In some of these places sites have been cleared, and still remain cleared, without being made useful or productive for any purpose. I saw one of these properties, belonging to the Foundling Hospital, in Bloomsbury, near Russell Square, which scarcely can be utilized, partly because there are not proper approaches, and partly because, though tolerably large, it is not sufficiently extensive to be made use of by the Peabody Trustees or others, unless compulsory powers could be obtained over the adjoining property. In this space, when I saw it the other day, there were heaps of offensive refuse thrown from the neighbouring houses, and the vestry were employing several men—naturally not without expense to the ratepayers—to clear the rubbish away. I think, then, I have shown the House that there exists in London a plentiful supply of sites which might be used for

the purpose of erecting good dwellings; sites at present occupied by houses unfit for habitation; sites which cannot be turned to account in consequence of the too high prices asked for them by their owners, and sites too small to be made available themselves, because there are no compulsory powers of dealing with adjacent property. I purpose now to show that there exists in London a large demand for such sites. The trustees of Mr. Peabody, whose name—although he was not a native of this country—must always be mentioned as that of one of the greatest benefactors that our metropolis has ever had, not only inform me, in the letter I have quoted to the House, that they have been endeavouring, without success, to get the sites I have mentioned; but they state in their last report that, out of a total fund of £578,000—including all the bequests of Mr. Peabody, and such profits as have already been received from the dwellings they have built, while they have spent on land £102,000, and £198,000 on buildings, making £300,000 in all—they have still left about £278,000 available for the purposes of the trust. There can be no doubt that the trustees of Mr. Peabody would lose no time in employing that money, if they could only meet with the sites which they want, and yet I have shown to the House that such sites exist in great quantity. Then, I am told by my hon. Friend the Member for Maidstone, who will second my Motion, that his company have refused money which they would be glad to put to use if they could only get sites. The great difficulty is to obtain sites, and if my right hon. Friend opposite (Mr. Cross) sees his way to get over that difficulty, I have no doubt the demands on the part of philanthropists, semi-philanthropists, and those who desire to build for their own private gain, will do the rest. If my right hon. Friend would only bring the supply to the demand, he would do a great and most useful work. I am told by the secretaries of other societies and companies that their hands are tied behind them, that they are crippled for want of land. Well, then, here we have this plentiful supply of sites, and this demand for sites, and the question is how to bring this demand to touch the supply. It reminds me of cases which used to interest me very much when I was a student of chemistry. When you have ap-

parently in close contact two substances which have a strong affinity for each other, they may remain in contact for years and years without any union taking place; but once apply heat or the electric spark, or some other power which will bring them into more than mere mechanical contact, and you set up an action of an interesting and important character. That electric force can only be applied in this case by the action of Parliament. [The hon. Member having referred to the various Acts connected with the Public Health passed since the outbreak of cholera in 1831 said]: I now come to the Act which is of most importance in reference to this discussion—I mean the Act passed by my hon. Friend the Member for Finsbury (Mr. W. M. Torrens) in 1868, and called the Artizans' and Labourers' Dwellings Act. The Bill, as passed by the House of Commons, contained provisions for four purposes—compulsory repair, demolition, compensation, and rebuilding. In the House of Lords, the last two provisions were struck out, and consequently the Act provides only for compulsory repair, and for the demolition of dwellings unfit for human habitation. Yet this Act has been of great value. Indeed, I did not fully realize its value until the other day, when I went through the parish of St. Giles, where Dr. Ross, the Medical Officer of the Vestry, has put the Act into force with considerable vigour and courage. About 100 houses have been improved or demolished in his district. The Act has been also employed with effect in Marylebone, Clerkenwell, Islington, Holborn, St. Luke's, Whitechapel, Mile End Old Town, and other parishes. It may be worth while to point out how the Act may be considerably improved. Not only should the powers of rebuilding, which the House of Lords unfortunately expunged, be restored in some form by new legislation, but the experience of Dr. Ross in enforcing the Act induces him to offer these practical suggestions:—First, the Medical Officer, in addition to the Report required by the Act, should be directed to detail the grounds upon which his opinion is based; and, secondly, the report of the Medical Officer of Health, condemning certain houses as unfit for human habitation, should be forwarded to the Local Government Board, in order that a Medical Inspec-

tor may examine the premises, and report thereon, previous to the reference to the Surveyor of the local authority. The medical officers of health are in the service of the vestries, and the members of the vestries are, to a large extent, property owners; and yet it is to these vestries that the medical officer of health has to make his report that property is unfit for human habitation, and ought to be demolished. The effect of adopting the suggestion would be that the report of the medical officer would be made with much greater confidence. At present, he sometimes shrinks from condemning places which are unfit for human habitation because he knows his report will be unsupported when it comes before a body who, naturally enough, will be somewhat prejudiced in favour of the supposed rights of their own property. If he were supported by an Inspector of the Local Government Board, he would have more confidence in recommending the resort to the measures now authorized by what is known as Torrens's Act. There are other respects in which the Act will not work efficiently. A medical officer of health shrinks from condemning property because, in the first place, he knows there is no power to re-construct. That is a fault which might have been avoided by passing the provisions of the Act that were rejected by the House of Lords. Further, the medical officer knows that the site of the property, if it were condemned, could not be utilized for any purpose unless adjoining property could be dealt with as well; but that may not be unfit for human habitation, and therefore he is not able to condemn it. He knows that if the houses to be condemned are demolished, the site will remain vacant and no property will be erected. This points to the necessity of some powers for obtaining neighbouring property, even though it be not of a character to render it unfit for human habitation. We have now seen sufficiently what Acts have been passed by the Legislature in recent years, and I pass on to show what precedents exist to guide us in the future, and what circumstances there are to encourage us. To go at once to the root of the matter, I point to the examples of Glasgow and Edinburgh, and what has been done in those places. When I was a member of the Committee of the Charity Organization Society, one of the most interesting

*Mr. Kay-Shuttleworth*

meetings was that at which the Lord Provost of Glasgow, the City Architect, and the Town Clerk attended to give evidence of what they had been able to do in Glasgow. They obtained, in 1866, an Act called the City Improvement Act. Before the passing of that Act, the Lord Provost told us the City of Glasgow was even more crowded than London was. There were 50,000 people huddled together on 80 acres, which made 600 to the acre, while in Westminster, a very crowded part of London, the population is 235 to the acre. How did the Corporation propose to deal with this evil, and how did Parliament enable them to deal with it? The Corporation deposited plans of the parts of the town they desired to improve, and they obtained power to borrow a million and a quarter of money. They were empowered to pull down all the places which were shown in these deposited plans, and to rebuild upon the sites thus obtained, or sell them for the purpose of being built upon. They were also empowered to levy a 6*d.* rate. They did not find this necessary for more than a year; they had a 4*d.* rate for two years, then a 3*d.* one, and now, I think, it is reduced to 2*d.* The Corporation did not use their power to rebuild except to a very limited extent. In order not to discourage speculators and prevent their stepping in to do what was necessary, the Corporation exercised their powers of re-constructing in only two cases; they built two lodging-houses for 500 people, which are quite models of their kind, and which have paid 10 per cent. The rest of the building operations have been conducted throughout by private agencies which came at once to the aid of the trustees, and acted readily under certain prescribed restrictions of sanitary construction. One provision in the Glasgow Act prevented the removal of more than 500 persons at once without a certificate from the Sheriff that accommodation for the number removed was obtainable in the neighbourhood. Following the example of Glasgow, the people of Edinburgh were induced, in 1867, by Dr. William Chambers, to obtain an Act which enabled the Corporation to borrow £350,000, restricted them to removing 500 people at a time, and gave power to spend £10,000 in rebuilding. They exercised this power by building a block of 36 houses, con-

sisting of flats, which were eagerly purchased by working men, at prices varying from £170 to £185. Liverpool, in 1864, obtained a special Act, called the Sanitary Amendment Act, which was on the same basis as Torrens's Act—subsequently passed for London and other towns—but the Liverpool Bill contained the principle of compensation, which was struck out of the hon. Member for Finsbury's Bill in the House of Lords, so that Liverpool possesses a power of which the authorities of London are deprived. Let me state very briefly what have been some of the results of this legislation. I will restrict what I have to say to the Glasgow case. The results in Glasgow have been very remarkable with reference to crime. The total number of crimes have singularly diminished. According to the Report of Captain McCall, Chief Constable of the City, for the year 1871, the number of houses of an immoral kind have been reduced from 204 to 50. Captain McCall adds—

"I should consider that I fell short of my duty were I not to acknowledge that the operations of the City Improvement Trustees and the Directors of the City Union Railway Company, have contributed to the results. Through these operations the city has been cleared of the foulest dens of vice and profligacy, and their occupants have been scattered among a population breathing a purer moral atmosphere."

I have also got the statistics of what has been done with regard to the number of dwellings which have been removed in a return by Mr. Nichol, Secretary to the Improvement Trustees. The return is dated the 14th April, 1874, and states that—

"The number of dwellings in the central district of Glasgow removed by the Improvement Trustees within the last six years was 3,085 (allowing five to a family, 15,425 persons). The number in the same district removed by the City Union Railway Company represents 8,000 inmates, giving a total of 23,425."

I take it, therefore, that what has been done in Glasgow may be pointed to as, at least, a hopeful precedent, when we come to consider the way in which we are proposing to deal with the evils that exist in London. I know it will be said, and I admit, that the cases of Glasgow and London are very different. The case of London is, in many respects, totally different from that of any other town in the Kingdom. No doubt, very greatly improved legislation is required with reference to the dwellings of the labour-

ing classes in every town of the Kingdom; but with respect to London it is particularly so, and I admit that here in London we cannot follow altogether the example of Glasgow in one particular. We cannot meet the necessities of the case by erecting dwellings in the suburbs in the stead of those demolished in the City. The suburbs of London are so much farther removed from the centre than those of other towns, that at least those people whose work is not at regular times cannot live in the suburbs and follow their occupations too. Those, for instance, who have regular work between fixed hours in the morning and the evening, who do not work extra hours and who have sufficient means to enable them to go to and fro by railway, and to bear the increased expense of taking their mid-day meal apart from their wives and families, these may benefit by living in the suburbs. But a large class who must take their work to their employers at various uncertain hours—I might mention the case of tailors, for instance—and those who depend on having their mid-day meal with their families, and those whose wives or children earn money in town occupations, cannot go to dwellings in the suburbs. I may say parenthetically that it would be a misfortune in my estimation to have the large mass of working men toiling far from their homes all day while their families reside in the suburbs. Men would lead a working life quite distinct and apart from their home life. It is a happy thing for them to be able to return to their families for their mid-day meal; and, where they cannot do that, to have the wife or child taking the dinner to the father, and sharing it with him. That would be materially affected by obliging the working classes to any great extent to avail themselves of railways to travel to and from their work. I say, therefore, the case of Glasgow is very different in that respect from London, where the centre of the town is so far distant from the suburbs. But there is this similarity, that there existed in Glasgow large districts where the buildings were overcrowded, where the sanitary arrangements were bad, which were perfect rookeries of crime, disease, and every kind of disorder, and which could only be got rid of by demolition. And we have the same evil to deal with in London as in Glasgow. It may, there-

fore, be profitable, and it is not uninteresting to examine what has been done. What is it that we propose to do in London? What is it that the memorials which have been presented to the Government by the College of Physicians and the Charity Organization Society point to? They both point to compulsory powers being obtained by local authorities for acquiring building sites for working people by the demolition of dwellings unfit for human habitation. And though I should not presume to sketch in detail a plan by which this course may be adopted, I think I need only point to one or two facts to show that we are, in some respects, in a better position than Glasgow for giving such compulsory powers. The first respect in which I think we stand in a better position is, that we have in our employment medical officers who are ready and competent to report, in accordance with the hon. Member for Finsbury's Act, that the houses to be removed are unfit for human habitation. That smooths away a great many difficulties; their powers being applied only to the class of houses unfit for human habitation. Sites would thus be obtained, not at an unfair, but at their real value. People who had allowed their property to get into a bad condition, and who kept it in a bad condition, would not be able to extort the altogether improperly high prices they now obtain for such property. In another respect I think we should stand better than in Glasgow for the exercise of these powers; the Metropolitan Board of Works, if entrusted with such functions, can issue stock at the moderate rate of 3½ per cent, and are thus enabled to obtain money much more cheaply than the Glasgow authorities could find their £1,250,000. But I must come to the main difficulty in that part of the proposal which seeks to confer these powers on certain authorities in London. It is objected that we have not got in London a great active reforming Municipal Corporation like that of Glasgow, with powers extending to the whole of the town, and directly representing its inhabitants; and that, no doubt, is true. I say, without disguise, in presence of my hon. and gallant Friend the Chairman of the Metropolitan Board, that I am one of those who call themselves municipal reformers, and who look forward to having some day a real



municipal government for London. I am not satisfied with the Metropolitan Board of Works; and I hope the time will come when we shall have a directly representative Corporation governing the whole of the metropolis, and replacing existing bodies. But I do not think we ought to delay improving the dwellings of the poor till this reform takes place; and I do not shrink at all from saying that I think the proper course for the Government and Parliament to pursue is to invest the Metropolitan Board of Works, and the noble Corporation which presides over the City, with compulsory powers for this purpose, similar to those given to the Corporation of Glasgow. Let me say to anyone who distrusts the Metropolitan Board of Works at once—Suppose they do not exercise these powers wisely, or if they do not exercise them at all—at the worst, what will be the result? The powers will be ready at hand for those who must be appointed their successors, if they neglect their duties. If the Metropolitan Board of Works, possessing these powers of dealing with this great mischief, do not avail themselves of them, so much the worse for the Board. If they do avail themselves of them, proving in that respect a reforming body so far as their powers extend, I shall be ready to reconsider my distrust of a body, elected as the Board of Works is, and to give them credit for what they have done. It will be a great opportunity for them. If they avail themselves of it, so much the better for them; if they do not, so much stronger will the argument be for that of which I am an advocate—the formation of a real municipal government for London. If we give these powers to the Metropolitan Board of Works, and if they do not properly exercise them, we shall be enabling those who may hereafter take their place, if it be necessary some other body should supersede them, we shall be enabling their successors as soon as they come into office to avail themselves of these facilities, and do in earnest the good work we wish them to do. With respect to the necessity of these compulsory powers, I think I have yet one point to show. The Peabody Trustees and the Building Companies and Societies, when they succeed in obtaining land on which to build, are frequently very much hampered for want of power to deal with some buildings ad-

joining what they acquire. A remarkable example of the damage done from want of compulsory powers occurred on the southern side of the river. The trustees of Mr. Peabody acquired from the Ecclesiastical Commissioners, at a fair price, a large and convenient site, and they erected lofty buildings upon it. There was, however, a strip of miserable property held by several owners, and overlooking the trustees' land, which they took steps to acquire. This property contained a public-house. When the owners found out who wanted their property, they asked prices so outrageous that the trustees, after considerable delay, were obliged to give up their proposal to purchase, and thus to a great extent neutralize the good they proposed to do. When it was found that the trustees did not feel themselves justified in giving the sums demanded, and after the new buildings were begun, several of the owners of this adjoining property commenced proceedings in Chancery. In the case of the public-house, which was a leasehold for about 18 years, at a rent of £60, it was stated by the lessee in Court that it cost £1,600 some years before. Yet before any proceedings were taken the trustees were asked to give £4,000 for this lease. The owner of this property was so anxious to press the trustees to buy his property that he brought an action against them for loss of light, and it was unfortunately decided in his favour. The Court gave judgment for £200, and this, with costs, inflicted a loss upon the trustees of probably £400. Much worse than this was the lasting loss inflicted upon the trustees by the proximity of this low and miserable property. It will remain there a nest of disease and probably of crime, interfering with the comfort and usefulness of the new and excellent buildings, because the trustees were unable to acquire it on anything like fair and reasonable terms. It may be said that what I am recommending is virtually a proposal to rebuild London out of the rates. I beg to say, however, that I propose nothing of the kind. I do not propose to rebuild London, or any part of London, out of the rates, nor should I think of offering any arguments in favour of such a scheme. All that I should propose would be that land should be bought by the Metropolitan Board of Works under powers similar to those

conferred upon the Corporation of Glasgow. The land thus bought by the Metropolitan Board of Works would be again sold or leased by them at little or no loss. The loss—if any—would alone come out of the rates. It might be desirable to give powers to the Metropolitan Board of Works, as was done in the Edinburgh Act, to rebuild to a certain extent. The greater part of the building, however, would be effected by private enterprise. All that is wanted is to enable private builders and philanthropic persons to meet the demand that exists for a better description of dwellings. If suitable sites were provided, private enterprise would do the rest. The Memorial of the Charity Organization Society suggests that—

“To provide against contingencies it would be expedient that these bodies should themselves have the power of rebuilding in certain exceptional cases and under proper limitations,”

the limitations referred to being those of the Edinburgh Act—restricting the right to rebuild within a definite outlay. It might be useful, as at Glasgow, to build some satisfactory common lodging-houses as models, and there can be little doubt that they would pay, as those at Glasgow give a return of 10 per cent. My proposal then is not to rebuild London out of the rates, but only to enable private enterprise to have scope for action—namely, to acquire at fair prices ground now inaccessible because of the protection given by law to powerless, indifferent, or unscrupulous owners or leaseholders. These compulsory powers are necessarily conferred both upon railway companies, and, in order to carry out street improvements, upon the Metropolitan Board of Works. Not a Session passes without powers being given to railway companies and various public bodies for this class of improvements; and I shall be glad if any hon. Member will tell me why these powers should not be given for a matter of much greater national concern even than the construction of railways and the opening of more convenient thoroughfares—namely, for an object deeply affecting the welfare of the working classes. It will be necessary to meet the case of improvable buildings—of those dwellings which are not so bad as to require to be taken down, but which are packed so closely together to be unwholesome. Much has been done towards improving

this class of buildings, although there is often, I fear, a good deal of waste of money in improving dwellings which it would be better to take down altogether and rebuild. Many of these cannot be improved, and are not worth the large sums which have been expended on them. If you attempt to improve unimprovable dwellings—in the first place the result is not satisfactory as far as the dwelling is concerned, and in the next place it does not pay. The Association inaugurated in 1844 by Lord Shaftesbury, to his great honour—the “Society for Improving the Condition of the Labouring Classes”—has done an excellent work, of which I desire to speak with great respect. Another society, the London Labourers’ Dwellings Society, of which a constituent of my own, Dr. Greenhill, is the indefatigable and excellent Secretary, has done much to improve the dwellings of the working classes in London; whilst a sister Society of older date at Hastings (1857) has done similar work there under the guidance of the same Secretary. I have seen a large number of these dwellings which have been improved, but I am aware that one cannot fairly judge of the work that these associations have accomplished unless one had seen these places before they were improved. I am afraid that a great many of the London improved dwellings, after all that has been done, are in an unsatisfactory condition. But others have been converted into fit dwellings for working men and their families; for example, in some cases chambers which were formerly occupied by barristers and persons of the higher classes, and which have been allowed to fall into a state of dilapidation, whilst occupied by a poorer class, have been repaired and drained, and again put into a fair sanitary condition. This is some of the good work that has been done by these associations. But that good work ought to be extended. It has been effected for the most part by benevolent societies; and, although I do not ask the Government itself to undertake the repair and improvement of such better dwellings, I appeal to hon. Members and to the public to give to this movement the aid and encouragement it requires and deserves. Such an Act as that passed for Glasgow would enable us to deal with the worst parts of London, and with dwellings that are

unimprovable—and these I fear constitute the larger class—but it would leave much to be done in those parts of London which are capable of being improved. I must next speak of the work which is being done—in building improved habitations—by various societies and companies, some of a philanthropic character, others half philanthropic and half commercial, some of a purely commercial character, many of which were set on foot and are carried on by private individuals who have shown an example for others to follow. The oldest association that attempted the erection of model dwelling-houses was the Metropolitan Association, formed in 1841 for improving the dwellings of the industrious classes. I have seen many of the dwellings of this association, which provides already for about 4,000 inhabitants, and which, when its Farringdon Road buildings are complete, will have 1,049 tenements or separate dwellings, of which only 20 are in old converted buildings. The dwellings of this association are most excellent models to be followed by those individuals who may avail themselves of the sites which we may hope will be set free by the powers proposed to be given to the Corporation of London and the Metropolitan Board of Works. The trustees of Mr. Peabody have built several blocks of buildings of the most interesting and useful character, and which are largely in demand by the more provident of the working classes. The Company of which my hon. Friend the Member for Maidstone (Sir Sydney Waterlow) is the Chairman, has provided accommodation for no less than 6,340 persons in its buildings. I must also refer to the Baroness Burdett Coutts, whose name should be mentioned with special honour in connection with her Columbia Square Buildings for working men and their families. Mr. Gibbs, in Rochester Buildings, near this House, has erected model dwellings for working men which are well worthy of imitation. The Corporation of the City of London have done something in this direction, and the benevolent persons represented by Miss Octavia Hill have provided accommodation for 1,500 persons in their dwellings. The right hon. Gentleman the Recorder of London (Mr. Russell Gurney) should also be named among those who have been foremost in this good work. I must now mention

one or two facts relative to the experience of those who have attempted to provide better accommodation for working men. One fact bears very much upon the necessity for compulsory powers, and it is that the associations I have referred to have to pay such varying sums, such large sums in most cases, and such extortionate sums in other instances for the sites on which to erect their dwellings. I will mention some figures to show the varying amount of ground-rent which the companies find it necessary to levy per family per week in order to recoup themselves for the ground-rent under which they sit as owners of these buildings. In one of these buildings it is necessary to charge a ground-rent of 1s. 1d. per family per week; in another, 1s. 6d. In one case this payment is as low as a 1½d.; in another it is 3½d. The House will, I hope, realize that heavy ground-rents are the result of leaving these associations to obtain their sites at fancy prices; and that the consequence is that a working man with a family cannot in some blocks obtain the accommodation which these associations provide for him without beginning by paying 1s. or 1s. 6d. a week for ground-rent, to which, of course, the rent of the rooms must be added. When the House duly considers this state of things, it will, I hope, see how very important it is that Associations formed for these benevolent purposes should obtain sites at such reasonable prices as arbitrators would fix. There is also another point in the experience of these philanthropic pioneers which is instructive; and that is, that on the sites that are cleared, where people have been living in an over-crowded state and in great misery, these associations are able to house many more people than before, without any of the drawbacks of the former crowding. I have already stated that the population in Westminster numbers 235 to the acre. In the Farringdon Road Buildings the population will be about 1,600 to the acre, though nearly half the site is left uncovered for the purposes of recreation and ventilation. Whilst the Metropolitan Association will have provided for the unprecedented number of 1,600 people to the acre, several associations and companies are building blocks which will accommodate 1,000 to the acre. I ought also to mention the fact that there is a great demand for these

buildings. People have sometimes said that the working classes do not care to go and live in this new kind of habitation; that they do not like to go upstairs and to live in flats. On the contrary, I find that, as soon as one of these blocks is constructed, there is immediately a great demand for tenements. In the Farringdon Road Buildings, for instance, although it will be four or five months before they will be completely ready for habitation, and although there will be accommodation for 253 families only, yet for this accommodation already no less than 275 applications have been received. And with respect to the Peabody buildings, the number of applications is still more largely in excess of the accommodation supplied, although that is, no doubt, partly due to the fact that in this case the tenements are let below their value. There is another fact to which I must allude, and that is the remarkably small loss that arises from the non-payment of rent. One would imagine that, owing to various causes, there would be frequent instances in which the rent would not be paid. But, in reality, the loss from this cause is very small. In the case of the Metropolitan Association, the gross rent receivable amounted to £12,257 5s., and the rent actually received was £12,082 11s. And that difference of £174 includes the loss arising from rooms empty during repairs or removals. These are very remarkable facts. And now I come to an important point, and it is one which can be spoken to with special authority by my hon. Friend the Member for Maidstone. The question is, whether the erection of these buildings is so profitable an investment as to tempt builders to step in? Will these sites be taken up by people who desire to make profit on buildings for the working classes or not? I say most confidently they will, because my hon. Friend the Member for Maidstone, and others have set the example, and have shown that it is profitable to build these classes of dwellings. Let me state what the dividends are. In the case of the Metropolitan Association, the dividends have been kept down. They were pioneers in the work, and all honour to them. But, owing to this circumstance, experiments were tried and mistakes made which naturally affected the dividends. But in spite of these experiments and

the losses which were incurred, they are now paying 4½ per cent. They hope very soon to be able to pay 5 per cent. The Strand Buildings Company pays 5 per cent, and the London Labourers' Dwellings Society 5 per cent. I am told that one or two of the blocks erected by the Peabody Trustees pay 4 per cent. The Improved Industrial Dwellings Company, the Company presided over by my hon. Friend the Member for Maidstone, pays 5 per cent, and has done so from the very commencement. The dwellings built by the Corporation of the City of London pay 4 per cent, and those erected or improved by Mr. Ruskin, Lady Dacie, and the other persons whose good work is managed by Miss Octavia Hill, pay 5 per cent. Some companies, it must be admitted, have been failures; others have paid very little; but when wisely managed they have set an example which private individuals and speculators may follow, for they show that dividends at the rate of 5 per cent can be obtained. It would be unpardonable if I did not say a word or two on the demolitions which have been effected under powers obtained by Railway Bills and Bills for other public improvements, and with respect to the duty that devolves upon Parliament of seeing to these matters, and of insuring that the injustice and misery which have been inflicted in the past are not repeated in the future. I need not dwell at any length upon this subject, because it is so familiar to hon. Members, and because they know that railway after railway taken through London has displaced a very large number of working people, who have thus had to find other habitations, and to over-crowd places already too full. Let me direct the attention of the House to the precedent laid down by the Metropolitan Street Improvement Act of 1872. When that Act was passed, there were Bills before Parliament which would demolish 1,152 houses and displace 3,870 persons, nearly all of whom were working people. A clause was then introduced into it—very much, I believe, at the instance of the hon. Member for Maidstone—which obliged the Board of Works to set aside certain plots for dwellings of the poor, in connection with the clearances they made for streets. Now, I hope we shall insist in this House that similar clauses are inserted in Bills

*Mr. Kay-Shuttleworth*

which are attended by this mischief. I am very glad that the right hon. Gentleman the Home Secretary has taken one step in that direction in the case of the Midland Railway Bill of the present Session, and I hope he will take others. This is a matter that we ought not to leave to be dealt with in "another place." The House of Lords' Standing Order on the subject provides that before the second reading of any of these Bills takes place, a Return shall be furnished of the number of houses it is proposed to pull down, and the number of persons it is proposed to remove under the compulsory powers to be given. This Standing Order has, no doubt, acted beneficially, but it is not enough; and we ought not to leave a matter of this kind to be dealt with in "another place." We ought to deal with it ourselves. And not only ought we to know how many people are going to be displaced, but in passing such Bills we ought to see clauses inserted, which would compel the companies to provide space for accommodating an equivalent number of people to the number removed. But the evil does not arise solely from the conduct of the railway companies, and from the neglect of Parliament to require due provision of sites for dwellings in their private Bills. I am sorry to say that we, or the Government, in times past, have been guilty of similar mischief. I refer particularly to the clearance of the space for the new Law Courts. The space cleared was very large—it still lies void and vacant—and about 4,000 people were turned out, causing very great misery. I need only allude to that to show how careless we have been of the comfort and interests of the working classes. I regret to be informed, too, that some of the measures taken by the School Board of London have more recently inflicted similar misfortune on working people by dismissing them from their homes. In all these cases provision should be made for those who are displaced. I was going to fortify myself upon this point by some high authorities who refer to the results of Railway and Improvement Bills. But, Sir, I think the House is awakened to the necessity of doing its duty in these cases, and I do not think I need say any more on the subject. I shall, therefore, close what I have to say by moving the Resolution which stands in my name.

But, before I do so, I must not omit to draw the special attention of the House to the words of the memorial which has come before it with the high authority of the College of Physicians. It was presented to the First Lord of the Treasury, and ordered to be laid upon the Table of the House. They make this statement—

"That it is well known to your Memorialists that overcrowding, especially in unwholesome and ill-constructed habitations, originates disease, leads to drunkenness and immorality, and is likely to produce discontent among the poorer portion of the population. That it is within the knowledge of your Memorialists that the wholesale demolition of the houses inhabited by the poor which has been carried on of late years under various railway and improvement Acts, while it has been serviceable in removing many very bad streets and dwellings, has incidentally caused much distress to the persons displaced, and has almost uniformly driven them to crowd into neighbouring quarters, which were already as full as, or fuller than, was consistent with healthiness. That private enterprise is powerless to provide the fresh and improved house accommodation which is required for those who have been expelled from their former habitations, in addition to that which is called for by the constant increase of the population, by reason of the impossibility of securing suitable sites for building. Even so rich and powerful a body as the Trustees of the Peabody Fund has been repeatedly foiled in particular attempts to obtain land to build upon."

They conclude thus—

"That your Memorialists believe that the mere enabling powers which are at present entrusted to various authorities have proved, and must prove, insufficient to effect the desired object. That in the opinion of your Memorialists a remedy for these evils is urgently required."

Sir, I need not again refer to the great dangers to the community at large from crime, from epidemic, from fire, arising out of the neglect of a great evil, nor to the far worse misery and degradation inflicted upon the poorest classes of the people by the existence of these wretched houses which, whilst they exist, are sure to be inhabited. I appeal to the Home Secretary not to confine himself to mere words in any reply he may make to what, at too great length and with insufficient ability, I have ventured to bring forward, but to tell us what will be his acts; to tell us that he intends to take the subject in hand and to carry through such a measure or such measures as the national urgency and importance of the subject imperatively demand. The time is past for admitting the evil and for declaring that something must be done.



Let the right hon. Gentleman tell us what, in his opinion, ought to be done, and let him say that he intends to do it. The hon. Gentleman concluded by moving his Resolution.

SIR SYDNEY WATERLOW\*, in seconding the Motion, said, I am glad to have an opportunity of saying a few words in support of the Resolution proposed by the hon. Member for Hastings. The subject is one in which I have taken the greatest interest for many years past. It has never been treated as a party question, and I trust never will be. On the contrary, from my own experience, I have found that right hon. and hon. Members of this House, whether sitting on the right or the left of the Chair, have rather vied with each other in their expression of sympathy with the object of the Resolution, and I trust that we may hope from this that it may be found acceptable to those who are present here to-night. I do not purpose to take up the time of the House by dwelling upon the evils of overcrowding, or drawing a picture of the wretched habitations in the narrow courts and alleys of our metropolis, in which so many of our labouring population are compelled to reside. I say compelled to reside, because it is as important to the mechanic, the costermonger, and the huckster to reside near to the place of his employment and to the markets for his trade, as it is to the merchant, and perhaps more so, since the poor man cannot afford the daily cost of transit. The proof of this is found in the high prices paid for rooms near the centres of labour. I once asked a poor woman who proposed to remove from the outskirts into London, how she could afford the extra 1s. or 1s. 6d. per week for their two rooms? She replied that she should save much more than 1s. 6d. per week when her husband could come home to his breakfast and dinner instead of taking it in a public-house. There can be no doubt that it is absolutely essential to the well-being of the community that the labouring population of our great metropolis should continue to reside near to their work. The cheap workmen's trains and the tramway cars are, no doubt a great convenience, but only available where the head of the family is the sole bread-winner. If the earnings of the wife and the children form part of the weekly wages, the family must re-

side near their work. During the last quarter of a century efforts have been made by several philanthropic societies, public companies, and private individuals to lessen the evils of overcrowding and to improve the dwellings of the labouring class. Much good has, no doubt, been done by these means, and the rents of working-men's houses would, but for these efforts have risen much higher even than they have done. But these efforts do not reach the real evil. In very few cases have the building companies been able to purchase and remove the houses unfit for human habitation. As a rule there are such a variety of interests in this kind of property that it is impossible to clear any large site without compulsory powers, which ought, I think, to be exercised only by a public authority. The philanthropic societies have, in fact, been working with their hands tied, and wretched houses unfit for human habitation remain as nests of fever and pestilence, foul blots on the face of our fair metropolis, doubling the rate of sickness and death among the occupants and spreading contagion throughout the immediate neighbourhood. I feel sure that we shall all agree that this state of things ought to be remedied, that this great and crying evil ought to be abated; the only question that I apprehend can be asked is, in what way can Parliament alleviate this evil without throwing too great a burden on the ratepayers, or dealing unfairly with the rights of private property? In what way can Parliament assist in this work, which has hitherto been left so entirely to private philanthropy? What we ask is that this House, recognizing the local authority which the Metropolitan Board of Works and the City of London exercise over the districts under their control, should impose upon these two public bodies the responsibility and the duty of submitting to Parliament, from time to time, schemes for public improvements involving the destruction of houses unfit for occupation, and the appropriation of the sites when cleared for the reconstruction of tenement-houses suitable for the labouring population, upon plans to be approved by the local authority, in the manner provided by the Metropolitan Improvement Act of 1872. Notices would be given, and the various interests in the property would of course be dealt with in the same way as if it

were taken for a street improvement. I am quite prepared to admit that these improvements would throw some temporary burden on the ratepayers, a small annual charge which would, I think, be more than compensated by immediate and future advantages. The principle upon which such improvements would be carried out has been constantly recognized by Parliament. The Metropolitan Board of Works have frequently applied to the House, and have obtained compulsory powers to make new streets in order to facilitate the circulation of the pedestrian and vehicular traffic of the metropolis, charging the cost on the ratepayers. If this charge is cheerfully borne, it can scarcely be doubted that an improvement calculated to ensure the better circulation of fresh air in the most crowded parts of our City, and the consequent reduction of the death and disease rate, could not be objected to. If we consider the figures for a few moments, we shall readily see that the annual charge will be very small. The present rateable value of property in the metropolis is nearly £21,000,000. A rate of 1*d.* in the pound will produce nearly £90,000, or sufficient to pay the interest on £2,000,000 and redeem the principal in 40 years. If the money was raised by issuing Metropolitan Consols at 3½ per cent £2,000,000 would go a long way in paying simply the difference between the purchase money of the land and the sum recovered on its resale, or the sale of the ground-rents. I venture to say, from many years' experience of the subject, that £2,000,000, or a rate of 1*d.* in the pound for 40 years, applied in the mode suggested, would remove to a very large extent the houses in the metropolis at the present time unfit for human habitation. Having glanced at the probable cost, let us look at the return to be derived from the outlay. The leading physicians of the metropolis, in the Memorial recently presented to the Prime Minister, expressed an unanimous opinion that the disease and death-rate among the labouring population were very largely increased by the unhealthy condition of their houses. This statement has been constantly confirmed by the reports of the sanitary officers of the large metropolitan parishes, and is fully proved by the Registrar General's Returns. These Returns show that in 1872 the rate of mortality throughout the me-

ropolis was 21·5 in the 1,000, while the mortality in the improved dwellings for the working classes was only 15·8 in the 1,000. If we take the average over a longer period, we find that, in the eight years ending 1872, the death-rate in the metropolis was 24 in the 1,000, against 16 in the 1,000 in the improved dwellings. The disease rate has been calculated to be about double the death rate, that is to say, for every person dying there are two persons afflicted with acute disease, preventing them following their ordinary work. Now those who know anything of the causes of the increase of late years in the local taxation are well aware that it arises to some extent from the constantly increasing cost of the construction and maintenance of the asylums for the care of the sick poor under the control of the Metropolitan Asylums Board and the Central London Asylums Board. A reduction of the disease-rate to anything like the extent shown by the figures I have just given would soon recoup the proposed addition of 1*d.* in the pound. Should it, however, appear on a closer examination of the subject that rather more than 1*d.* in the pound was required to carry out the proposed improvements, I venture to think that no better time could be selected than the present, when local taxation is proposed to be so largely relieved by the Budget of the present Session. Passing away from the mere pecuniary view of the question, I could appeal to the House to support this Motion upon higher and more forcible grounds. The people of this country are never tired of subscribing money for the religious education of the poor. The whole country has recently been very properly taxed to provide secular education for every child. I venture to say, without fear of contradiction, that if the labours of the ministers of religion are to produce the hoped-for result, if the work of the schoolmasters and the school boards is to bring forth good fruit, the homes in which the working population in over-crowded cities are compelled to live must be improved. We, I fear, as a nation are too prone to consider our own civilization as far in advance of the civilization of other countries, and when we read of the indifference with which the lives of human beings are sacrificed among barbarous nations, of the ruthless manner in which infants are placed in the baby towers of

the East, we are too apt to cry—"Thank God! we are not as wicked as other nations;" but if the statements of our leading physicians, if the Returns of the Registrar General, are to be relied on, who can doubt that thousands of persons, and especially children under two years of age, die annually from preventable causes? If this be true, I would ask the House to support the Resolution, with the hope that some suitable solution may be found for this great and important problem. If in the dealing with this question I have spoken too warmly or too strongly, I trust House will excuse me, and will attribute it to my great interest in the subject rather than to any want of respect for the House itself.

#### Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, a necessity exists for some measure that will provide for the improvement of the poorest classes of dwellings in London, and that this question demands the early attention of Her Majesty's Government,"—(*Mr. Kay-Shuttleworth*),

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

COLONEL HOGG said, he had pleasure in congratulating the hon. Member for Hastings (*Mr. Kay-Shuttleworth*) on the able manner in which he had brought that subject before the House. He could assure his hon. Friend that the Metropolitan Board was as anxious as ever it had been to do everything in its power to benefit the metropolis at large, and he certainly thought that nothing was of more importance than to endeavour to improve the character of the dwellings of the poor. He had himself gone through some places so horrible that he did not know how human beings could dwell in them. His hon. Friend who had made the Motion wanted to bring sites to those who had a demand for them. There would, he should think, be no great difficulty in that. If people who wanted sites were willing to pay the money asked for them, they would get them. The Metropolitan Board had done something to procure sites, and he was now in communication with his hon. Friend (*Sir Sidney Waterlow*) with a view to the occupation of

these sites as soon as possible. He was exceedingly anxious that his hon. Friend's company, or some other, should build new houses on those sites, so that the poor should not be driven away from the places in which they had been accustomed to live; but he wished to point out that in the Metropolitan Streets Act of 1872 there was a special clause providing that whenever buildings were swept away from the poor neighbourhoods, the land should be reserved; but all public bodies, when they had land to let, were bound to get a fair and proper recoupment for the ratepayers' money. He was sorry his hon. Friend the Member for Hastings did not seem to have confidence in the Metropolitan Board; but, nevertheless, the hon. Gentleman was ready to invest them with considerable additional powers, so that it would appear that his hon. Friend's actions indicated greater confidence than his words. The powers which the hon. Gentleman would confer would require to be used with the greatest possible caution, because, while one man might think a house ought to be pulled down, the owner might be of a very different opinion. He had not been deputed by the Metropolitan Board of Works to say what their views might be; but he could promise that if the House chose to give them any further powers, the Board would exercise them to the best of their ability. With regard to the district surveyors, it was not intended in the Bill he was about to introduce to abolish them; but to make them more responsible to the Board in their respective districts, while, with respect to the question of money, if the House granted the Board the necessary powers there would be no difficulty at all, for a few weeks since they had asked a loan of £2,000,000, and in six hours had been offered £22,000,000.

*Mr. W. E. FORSTER* said, that the object of the Motion which his hon. Friend (*Mr. Kay-Shuttleworth*) had supported with so much ability was to call upon Government to give their attention to that very important question, and to see whether they could not devise some means for remedying a great and admitted evil. He thought his hon. Friend had made out a case for legislative action. The hon. Gentleman had prudently not sketched out any plan, it being clear that the Members of the Go-

*Sir Sidney Waterlow*

verment, no doubt, would be anxious to give their attention to the subject; and with the power which they had both in that House and in "another place," they were in a position to do so with effect. And then there was a better opportunity now than in former years for taking up the matter, which was clearly one that must be dealt with by the administrative Government. The evil must be a great one before a case could be made out for Government interference, and one would be glad that the matter could be left to the action of supply and demand. But, it must be admitted, such was the condition of the population that we could not expect them to be well housed unless something more was done. There could be no doubt about the existence of the evil, and the danger in which it put almost all the inhabitants of the metropolis, from the disease engendered by these miserable dwellings. His hon. Friend was quite right in stating that the time had come when compulsory powers must be given to some authority in the metropolis to pull down, and if obliged to do so, to build up again; although he shared in the belief that private benevolence and enterprize would step forward and build up that which was pulled down. They must all be grateful to the hon. Member for bringing this matter forward, for, as he said before, a strong case had been made out for legislation, and, with the present local government of London, any additional administrative responsibility must be cast upon the Corporation in the City, and outside it on the Metropolitan Board. The Government, with its present majority, was in a position to carry a measure, and perhaps the Lords might be induced to reconsider their former decision, and to pass provisions for compulsory reconstruction, as well as demolition.

ALDERMAN SIR JAMES LAWRENCE said, there was one subject which the hon. Member for Hastings (Mr. Kay-Shuttleworth) had not touched upon—namely, the influence of what he would term "vicious legislation" with respect to the dwellings of the working classes. At the time when the window tax was imposed, the effect of the tax was to cause a very large number of windows to be closed up in order to lighten the burden of

taxation in houses inhabited by poor families, and before its abolition he had visited houses where the staircases were in perfect darkness, not a ray of light being let in upon them, the consequence being that the means taken to shut out the light also shut out the air, and disease and misery were the result. He rejoiced when that tax was repealed; but, unfortunately, another tax had been imposed which affected injuriously the dwellings of the poor, and had been the main cause of large spaces not being built upon. He referred to the house duty, which did not affect places where land was cheap, and where small houses could be built, but spaces in large towns, where land was dear for the grouping of houses. Although it was only 9*d.* in the pound to owners, it fell with the weight of 1*s.* or 1*s.* 6*d.* in the pound upon the occupier. To avoid that the Industrial Dwellings Company, in building their flats, made the approach by an open staircase, for each set of tenements was then valued separately, and being under £20 escaped the duty, whereas were there an outside door for each building—that was, a group of flats—would be valued, and the value being over £20, it would be taxed accordingly. It seemed a monstrous anomaly that if anyone erected a dwelling to be laid out in flats, and if there were a front door, that structure would be liable to duty; whereas, if a front door were omitted, it would not be subjected to the duty. Besides that, the open staircase created a great deal of annoyance to the police, who stated that it was a refuge to vagrants and to persons of loose character. As an easy method of dealing with a portion of this question, he would suggest that the Government should direct their assessors to assess each range of tenements separately, and thus all tenements under £20 a-year would be free from the house duty. The loss to the revenue would be very slight, but it would give a great impetus to those persons who wished to build on large vacant spaces.

MR. PRAED said, he wished to confirm, from his own observation, what had been said of the dwellings of the London poor. The supply of dwellings for the working classes in London was utterly inadequate. The removal of a large number of houses to make way for the railways had driven the people into

other localities, and houses which had been built for one family were now occupied by six or seven, every room, even the cellar, being occupied by a family; not only that, but in too many instances, they were deficient in air, light, space, and water, and in everything that made life tolerable. That was mainly because the houses were owned by small proprietors who had invested their savings in the purchase, and who wished to get as much return for their money as they could, and who would make no repairs but such as were absolutely necessary to prevent the property tumbling down. For the rent paid for a single room by the poor in London a labourer in the country would get a cottage, a garden, and other conveniences. The advantages of providing improved dwellings for the artisan class in London would be very great. The public health would be improved and the poor rates reduced. Beyond that, the evil to be remedied was growing fast in consequence of the demolition of houses occupied by the working class for the extension of railways, and in consequence of the wonderful increase of our town population. That increase had been something like 17 per cent on the number in 1861. He hoped, as this question had been so prominently brought forward, something practical would come of it, for it was well always to strike while the iron was hot. He was sure the success of the movement would tend very much to promote sobriety and self-respect among the artisan population, and would do more to beget a good understanding and kindly feeling between the upper and lower classes of society than anything else that could be done. In that view, then, the immediate necessity of some great scheme for improving the dwellings of the poor could not be too much pressed on the attention of the House, and he hoped the matter would receive the careful attention of the Government.

MR. SHAW-LEFEVRE said, he wished to compliment his hon. Friend the Member for Hastings (Mr. Kay-Shuttleworth) on the very able speech in which he had introduced the subject to the notice of the House, who, although he thought he had wisely abstained from giving the details of any measure to remedy the evils to which he had called attention, had indicated some of the re-

medies it would be desirable to adopt. If six years since the Bill which had been brought in by the hon. Member for Finsbury (Mr. W. M. Torrens) had passed in the complete shape in which it had left that House, there could be no doubt that many of those evils would by this time have been removed. He could not, he might add, understand why the powers which had been conceded to Glasgow and other towns should not be extended to the metropolis, while he quite concurred in the opinion, that the question was one which affected not only London, but other important places. What had occurred in Liverpool and Glasgow ought, he believed, to encourage great confidence in local Government, for much had been done in those towns without infringing the rights of property. He did not think the proposal now before the House involved any large building speculations. All that seemed necessary was, that compulsory powers to take certain properties should be given, and there would be no difficulty in disposing of them for the erection of proper dwellings for the working classes. The cost likely to be incurred had, he could not help thinking, been greatly exaggerated by the hon. Member for Maidstone (Sir Sydney Waterlow), and there was much reason to hope that the Metropolitan Board of Works might be able to obtain the properties required for sums which would be the real measure of their true value, and having obtained them, to dispose of them to companies for building purposes. He trusted the Government would deal with the question. They possessed great facilities for doing so, for they were under no suspicion of being disposed to act in a spirit adverse to vested interests; while the support which they commanded in the other House would enable them to carry a more complete measure than had hitherto been passed.

MR. SCOURFIELD sympathized with the object of the Resolution and was willing to support it, although he hardly knew what it was that he was to support. He was sure it was a very amiable Motion, but not one that was likely to lead to any great practical result, unless the House was prepared to assent to very strong measures indeed. He thought it must ultimately resolve itself into a question of rates, and he had a suspicion of its sounding something like



an indirect proposition to dispense with the house tax. However, if any practical measure on the subject could be devised, which would not throw unfair burdens on the ratepayers, and would not involve any violent and unnecessary interference with property, he would be very glad to see it adopted.

Mr. GOURLEY said, he regarded the Motion of the hon. Member for Hastings as one of an exceedingly modest character, and one well deserving the best consideration of the House and the Government; but the great obstacle he saw in the way of giving practical effect to any measure in the desired direction was the multiplicity of governing bodies which existed in and about the metropolis. In answer to a remark of the hon. Member in reference to the borough which he (Mr. Gourley) represented (Sunderland), he wished to point out that whatever might have been the unhealthy condition of that town before 1865, since that year its local authorities had expended over £100,000 in sanitary improvements, the effect of which was that the death-rate in Sunderland had been greatly reduced, and would now bear favourable comparison with that of any other town in the Kingdom.

Mr. KAY - SHUTTLEWORTH, in explanation, said, that he had quoted from Mr. Simon, Medical Officer of Health, who in 1865 described Sunderland as one of the worst places in regard to the dwellings of the poor. He had not alluded to what had been done in that town since 1865.

Mr. EARP called attention to the difficulty of obtaining land for the purposes contemplated by the Resolution. The town he represented (Newark on Trent) was surrounded by entailed estates, and it was impossible to extend it in any direction. He would suggest that when the Home Secretary brought in the measure on this subject promised by the Chancellor of the Exchequer it would be well to insert a provision in it for obtaining possession of land and extending the boundaries of towns. Without some such provision, the suggestion of the hon. Member for Hastings (Mr. Kay-Shuttleworth) would be futile. It was time that the Government should deal with this important question, and once for all make some decent provision for the accommodation of the labouring

classes, not merely in London, but throughout the country.

Mr. J. G. HUBBARD said, the question of providing suitable and healthy dwellings for the poor was in certain respects even more important than the question of providing them with education. Education, properly speaking, began at home; but it was utterly hopeless to expect anything good being achieved in such a direction as long as the poorer classes were so wretchedly and inadequately housed. All the instruction that could be given in the most palatially built schools would be utterly valueless, as far as raising the morals of the people was concerned, as long as they were crowded into close and uncomfortable dwellings, where even the sense of decency could not be preserved; and he felt sure the Government would give a favourable consideration to the matter. To procure sites for proper dwellings it was necessary to destroy nests of disease and immorality; but the more dilapidated and wretched these buildings were the greater was the difficulty of acquiring them on reasonable terms. The reason for this was that the landlord crammed human beings into them in a way impracticable in decent houses and intolerable with decent people, and if, as in the case mentioned by the hon. Member for Hastings (Mr. Kay-Shuttleworth), the number of occupants was five times the proper number, the rent was also five to one, so that though the sum per head was very small the total was large. As to leaving the necessary provision of dwellings for the poor to the competition of capital, they must first remove the obstacles which precluded the action of competition and the application of capital. They must provide a legal power of acquiring sites whereon to build. When the State removed the obstacles, competition and capital would easily profit by the opportunity then open to them. Nothing short of a severe despotism would meet these cases; and instead of allowing men to profit by the misery, disease, and numbers of their unfortunate fellow creatures, and to found claims on the experience of their past misdeeds, he would allow them only compensation proportionate to the nature of the property. He trusted that the discussion would induce the Government to take up the subject introduced with so much ability by the hon. Member for

Hastings, and that they would prepare some measure calculated to remedy the evils which had been exposed.

MR. YEAMAN said, he took great interest in the matter under discussion. He was surprised that seeing the action that had been taken in some large provincial towns for carrying out public improvements, no compulsory powers had been adopted in London. In other towns this evil had been remedied, and that in a practical way. But the difficulty pointed out in London was this—that it was the duty of those who displaced the people from their houses to provide other dwellings as a substitute. He was convinced no private association, whether its object was profit or philanthropy, could effectively deal with the evil; for there were so many provisions connected with property that although they might be able to arrange for the purchase of a number of houses, there might be so many rights and servitudes in connection with a single house in this or that narrow lane as to put a stop to all improvements. It was quite impossible for private enterprise to carry out any great improvements, and he thought they must fall back on compulsory powers—powers which might be acted on without inflicting any great hardship on the working classes who inhabited these houses. His own opinion was that a Bill might be passed giving compulsory power to the Metropolitan Board of Works to remove the houses in crowded parts of the City, to purchase large blocks of houses suited for conversion into dwellings, and pieces of land on which to build. There need be no great hardship inflicted in these operations. The number of inhabitants to be removed by any one operation might be limited to 1,000 and according to the accommodation that could be provided for the families turned out. That was the one practical way of getting over the difficulty. They had in the town of Dundee powers just now to expend £130,000 in widening and improving their streets, and in rooting out the places which had been described as the houses of disease and crime. He believed that anywhere where they carried out such improvements, if they did it economically and on a good plan, the money expended would be nearly recouped in the prices realized for the properties when they were sold. If

there was any loss it could not be very much, spread over the whole of London. But it was necessary to borrow money and to give security for it, and therefore the imposition of a rate was indispensable.

MR. NEVILLE-GRENVILLE trusted that if any measure was introduced in the direction indicated by the hon. Member for Hastings, the state of the country towns would not be forgotten, for there were in the small country towns as crowded and as filthy habitations as there were in the metropolis. They had no Peabody trusts and no large benevolent societies to help them; and, indeed, he had still greater reliance upon self-help than upon such organizations, for he could not help observing that the labouring population had greatly improved their dwellings by means of their own savings, and by building societies established and carried on by themselves.

MR. ANDERSON stated that £1,300,000 had been expended by the City of Glasgow in the purchase of property extending over 85 acres out of 6,000, and 23,000 out of a population of 500,000 had been displaced. The financial results would be satisfactory; and in any large town large operations in real estate must, owing to the enhancement of the value of the property, have a successful financial result. The great question, however, was the social one—namely, what became of the vast population that was displaced? Was the effect a good or bad one? Was it really to improve the lowest class of society, or was it to corrupt the classes immediately above by spreading among them the lowest classes. Now, on that point he did not think they had sufficient evidence in Glasgow or in any other place. A good deal might be said bearing in both directions. He had endeavoured to ascertain what became of this population which was displaced, and he found that it was almost necessarily raised to the classes above it, and to a certain extent carried a corrupt influence with it. On the other hand, these other classes, being better, would to a certain extent, improve those who came among them. That there was a balance of good in the result he was satisfied; but that it was a large balance had yet to be proved.

*Mr. J. G. Hubbard*

Mr. W. M. TORRENS expressed his satisfaction that a subject in which he had long taken a deep interest had been treated by both sides of the House in the spirit evinced during the debate. It was now some years since his hon. and learned Friend the Member for Southwark (Mr. Locke), his hon. Friend the Member for Perth (Mr. Kinnaid), in conjunction with himself, had brought in a Bill having for its object the improvement of the dwellings of the poor, and he believed that their efforts to carry that Bill would have been fruitless had it not been for the unsleeping sympathy, the untiring aid, and the true succour rendered them from first to last by the right hon. Gentleman who was now at the head of the Government. When others stood aloof, and were indifferent, they never found the right hon. Gentleman the Member for Buckinghamshire wanting in sympathy; and when he filled the office of Chancellor of the Exchequer, he had felt it his duty to communicate with the promoters of the Bill to inquire what portion of the charge would require to be advanced on loan by the Treasury if the Bill were carried in its integrity. He heartily thanked the right hon. Gentleman for the great interest he had taken in the subject in the name of those who, without such interest, were indeed helpless and hopeless. Now, that the right hon. Gentleman was in power, he adjured him by all that he valued in his great fame to take up and carry to maturity the work that he (Mr. Torrens) and his hon. Friends had, in 1866, induced that House unanimously to sanction. So lucrative was the property in the worst slums of London, that it could only be dealt with by the power of the Government. He was bound to say a word on behalf of a class who had, he thought, been somewhat harshly spoken of—he meant the middle-class holders of tumble-down property in large towns. It was not owing to their combination that the best clauses of the Bill had been lost. It was by that of noble and wealthy slum owners, who ought to be ashamed of the course which they adopted in preventing the improvements which were so much needed. There happened to be at the time in the other House of Parliament a man of matchless adroitness in the use of words and in legislative artifice, a man possessed of cu-

rious audacity, combined with legal and political subtlety—the late Lord Westbury—and he, when the Bill went to the House of Lords, said he did not understand the theory on which its promoters proceeded, and that half the measure must be struck out. Two parts out of four were accordingly got rid of, and hon. Members knew what was the condition of the Bill when it left the House of Lords. Much praise had been bestowed upon the two first propositions, but he, for one, was prepared to admit that it would not be right to take away any man's property without giving him adequate compensation; yet the House of Lords said that no compensation should be given, and the result was that while a good deal had been accomplished under the Bill, he knew of case after case in his own borough in which he had hesitated to ask the Board of Works to destroy where they had no power to rebuild. Anxious as he was to see proper dwellings provided for the working classes, he had not the heart or the heartlessness to unhouse numbers of poor people, and to throw them on the street, or into the workhouse, or what was far worse, on the decent portion of the population around them. He had heard a good many debates in the House on temperance; but, in his opinion, the true Temperance Bill would be one which would give working men when they came home tired a habitable dwelling. They did not give a working man a chance of being sober. They were playing the hypocrite in telling him to read philosophic magazines in the midst of squalor and stench, and to go home sober to a wretched hovel, when for 2d. he could find brightness and comfort round the corner. He hoped the Government would deal with this question with a firm hand; and if they did, he did not think they would have any great financial difficulty to encounter. Seeing the course he had always taken on the question in that House, he could scarcely be accused of a desire to raise the rates; but in the case of the Bill of 1868, its promoters did not ask that the rates should be pledged for useless asylums or workhouses, or on any unproductive scheme, but for the purpose of creating rateable property, of getting rid of poverty, and therefore doing the very opposite of that which was apprehended by some hon. Members. In conclusion, he would ap-

peal to the Government to take up the subject, and he could assure them that if they dealt with it efficiently, they would entitle themselves to the lasting gratitude of the country.

Mr. ASSHETON CROSS said, his hon. Friend the Member for Hastings (Mr. Kay-Shuttleworth) need have made no apology either to the House or to the Government for having brought the subject under discussion before them that evening. Speaking for himself, he would say that no one question out of the whole range of those which were likely to come before the House was nearer or dearer to his own heart. He ventured to observe a few months ago—and he was glad to hear the statement reiterated by the hon. Gentleman who had just spoken—that when they were talking about vice, intemperance, and drunkenness, and trying to keep those evils down, nothing would do that more effectually than by improving the homes where the poor people themselves lived, by making those homes happy ones, and so presenting an inducement to hard-working men to come there as the greatest possible recreation they could have. Many of the present dwellings of the poor were in such a state that no hon. Member would ever set his foot in them on any consideration if he could help it, and yet in these dens, children and families were reared without any chance of getting fresh air, and without, in fact, knowing scarcely what it was to exist properly. What wonder was it that a man with money in his pockets should steal away from his home to the public-house, and spend it there, leaving his wife and children in misery and poverty. The subject had recently been very forcibly pressed upon his attention by important deputations which he had received, and by memorials which had been presented to him by the Royal College of Physicians and the Charity Organization Society. In those memorials the state of the case was very fairly put, and the condition of London was adverted to in terms which were, perhaps, rather within than beyond the bounds of truth. The houses spoken of were represented as being over-crowded, the ventilation and the drainage as being exceedingly bad, and all the sanitary arrangements as being of the worst possible description. And it should be borne in mind that it was not only

adults, but children who were obliged to live in those wretched dens, who had no means of getting fresh air, and who so long as they remained there could never have any proper sense of morality, nor fail to be familiarized with scenes of vice. Under these circumstances, it was due to the House to step in without delay and see what could be done to remedy such terrible evils. A good deal had already been done by those who had the subject at heart. Large numbers of people had succeeded in getting places where habitations could be and had been built for the poor, and he believed that as fast as they were built they were filled, if well regulated. No trust had been more faithfully carried out than the Peabody Trust, nor had any money ever left produced in the short time it had practically been in use such benefit. The hon. Member for Hastings had observed that the trust had experienced considerable difficulties in finding sites on which to put their buildings. No doubt there were difficulties, as there always would be, while the law remained as it was; but the Peabody Trustees had already provided buildings accommodating 882 families, occupying 1,875 rooms, and, though this was a mere drop in the ocean it was an example which others, like the hon. Baronet (Sir Sydney Waterlow) had done much to second. One difficulty the Peabody Trustees had to encounter was severely felt. Although they had been enabled to get a considerable amount of property, it not infrequently happened that there was some small piece of land jutting on to the part they had acquired that they could not obtain without having to pay a large sum of money. Although, too, it was often possible to get the freehold, and perhaps the leasehold, the complicated and subdivided tenures under which so much property in London was held had been an obstacle, some small leaseholder, sub-leaseholder, or, perhaps, sub-sub-leaseholder obstructing the accomplishment of a great improvement. Nevertheless, he thought the hon. Member was not quite aware of the great amount of land which the Peabody Trustees already possessed without any such interference. At Chelsea they had about an acre, in Southwark Bridge Road about 1½ acre, and elsewhere about 4½ acres absolutely free and ready to be built upon, and on

which immediate proceedings would be taken. The difficulties had not, therefore, been so insuperable as might have been anticipated. Another evil mentioned by the hon. Member was one which had been greatly felt in the City of London—namely, where persons who had bought property for the purpose of some great undertaking were allowed to turn out all the persons living upon that property, without being called upon to find other places where they might secure proper homes to live in. Certainly, he thought Parliament was, to a certain extent, responsible for what had happened in those cases. They must bear some share of the blame for having turned a large number of persons out of their houses to make room for the site of the new Law Courts, without finding another place for them to live in. His attention had been called this Session by a deputation to a Bill promoted by the directors of the Midland Railway Company. It was proposed by that company to turn out some thousands of poor persons in order to take possession of their houses and pull them down. They had made certain arrangements with the owners of the property to escape the action of the Standing Order of the House of Lords, by which they would have been compelled, if they had come under its operation, to provide buildings for the persons they turned out of their homes. When he came to consider what power he had to interfere, he found that power to be very slight. However, he had a certain amount which he felt he could use; and, on behalf of the Government, he determined, if the objectionable clause remained in the Bill, he would offer all the opposition in his power to the Bill passing, so long as the clause stayed in it; and those in charge at once, and in the handsomest and most straightforward manner, withdrew the clause, promising that they would take care any future Bill came within the operation of the Standing Order. He believed the proceedings taken in Glasgow, Edinburgh, and Liverpool—about which last he knew a good deal—had been productive of the greatest benefit, having been conducted with great care; and, if any measure were introduced by the Government, it should be very carefully drawn, so as to facilitate other measures of the same kind. It was easy in those towns to provide other buildings for the persons

displaced, because they removed to the suburbs, without being too far from their work; but this would not be the case in London, and it was impossible to provide ample accommodation within a reasonable distance for the people turned out. The difficulty was not so serious as some persons imagined, when the wretched hovels that poor people lived in were pulled down, because, by obtaining a large area on which to build a block of good houses, larger and better accommodation could be provided. Then came the question, to what authority should be given the power to pull down houses of that description? The Corporation of the City of London and the Metropolitan Board of Works had both been named. On that point, however, the Government would for the present reserve their judgment. There were also plans which deserved the greatest consideration on their part. With reference to the question of rates, and the Metropolitan Board of Works having power to impose additional rates, it must be remembered that rates were imposed for different objects. There might be a small rate put on for the purpose of raising these better dwellings; but a much larger amount might be saved in the case of gaols, lunatic asylums, and hospitals, for any large operation of this kind would so materially improve the condition of the people that, in the long run, he did not say immediately, the rates ought to be reduced rather than increased. In speaking of rates, moreover, the sick and death rate of the Metropolis must be remembered, and the facts which had been stated were so strong that they must have great weight with any Government which considered the question. It had been stated that the average death rate per 1,000 was 21·5; whereas in the improved dwellings it was only 15·8—a very striking fact; and the sick rate being always about double the death rate, the comparison between the improved dwellings and the present houses became still more striking. The hon. Member for Pembroke-shire (Mr. Scourfield) objected to the indefinite word “something” in the Resolution before the House, because he did not know what the Government would really do, if they were to agree to the proposal. He could assure the hon. Gentleman that if the Government took up this question he might rest as-



sured that any measure they brought before the House would be a practical one, something feasible, and perfectly easy to carry out. It would be a measure that would cause no uneasiness in those quarters where uneasiness had hitherto been created. It would be free from those difficulties which had been shadowed forth by hon. Members who had spoken. The Government had given two pledges of its disposition to act in the matter without further delay than necessarily attended the treatment of such a question, for it had frustrated the attempt of the Midland Railway to escape the Lords' Standing Order, and it had determined to consider what Standing Order should be submitted to the House to prevent a recurrence of such attempts. He hoped, therefore, the House would be satisfied that it was the earnest desire of the Government, the moment they could settle not only the principles, but the details, of the measure, to carry out the spirit of the Motion. The subject was engaging their serious attention, and the moment they could do so, they would introduce a measure with the full intention of carrying it, with the view of securing to the people of the Metropolis dwellings equal to those in other parts of the country, in which they could grow up, not slaves, but really men and women, in the enjoyment of happiness and comfort.

MR. KAY-SHUTTLEWORTH said, that he regarded the statement of the right hon. Gentleman, not only as an extremely hopeful one, but as one which he trusted he might, without presumption, describe as reflecting the greatest possible credit and lasting honour upon himself and upon the Government. He would now withdraw his Amendment.

Amendment, by leave, *withdrawn*.

#### INDIA—METEOROLOGICAL DEPARTMENT IN INDIA.

##### MOTION FOR PAPERS.

MR. EGERTON HUBBARD, in rising to call the attention of the House to page 30 of the Abstract of Report of Surveys in India, 1871-2, on which it is stated that—

"The question of the organization of a Meteorological Department in India is still under consideration: the Despatch from the Secretary of State on the subject, dated the 18th May 1871, and enclosing the Report of the Committee of the Royal Society, not yet having been answered;"

*Mr. Assheton Cross*

and to ask the Under Secretary of State for India, Whether he will have any objection to lay before the House all Despatches which have passed to and from the Government of India during the last five years, on the subject referred to? said: In the despatch of May 18th, 1871, the Duke of Argyll recommends that India should be apportioned into five local central stations, under one scientific Director—that the instruments used should be uniform, and the method of observing them identical. Mr. Chambers, the Government observer at Colaba, has already made identical recommendations to the Home Government. Mr. Clements Markham in the Blue Book—"Indian Progress and Condition, 1871-2"—shows that India is naturally divided into five Zones according to their average annual rainfall. (1.) The North West arid Zone, including Scinde and half Punjab with a rainfall of less than 15 inches where irrigation is a necessity of existence. (2.) The Northern dry Zone, a belt 100 to 200 miles wide, including Delhi and Agra, and the Southern comprising the Peninsula between the two Seas from Nasik to Cape Comorin with less than 30 inches, where irrigation is also necessary. (3.) The Upper Valley of the Ganges, Central India and Eastern Madras with a rainfall between 30 and 60 inches, where great distress has been felt from want of irrigation. (4.) The Deltas of the Maharadi and Ganges Rivers with a rainfall between 60 and 75 inches which makes irrigation a luxury; and (5.) Two Zones, one extending from the mouth of the Irawadi River along the Bay of Bengal, up the Brahmaputra River and skirting the Himalaya mountains, the other extending from the west coast between Cape Comorin and Bombay to the summits of the Ghauts, where a rainfall of over 75 inches makes irrigation unnecessary. The Duke of Argyll explaining the conduct of the late Government as regards the famine, stated that he had first implicitly trusted the Indian Government on account of the date at which they first took alarm—namely, the 25th of October. Up to the beginning of September there was no alarm from a previous failure of rain—a deficiency of the ordinary rains in July and August is never fatal if supplemented by rain in September and October, and even a deficiency in the September and October

rains is never ascertained till the third week in October. On the 25th of October, Sir George Campbell telegraphed to the Viceroy that there was—beyond the July and August deficiency—an additional failure, and cause for grave alarm. Trusting to these monthly and yearly averages, the Indian Government have spent, and still spend enormous sums of public money on irrigation to obviate drought, and maintains many miles of embankment against the average flooding of rain-fed rivers. Trusting equally to these averages, the English Government delay to provide against the possible starvation of thousands of our Indian fellow-subjects. Surely the records from which these averages are compiled should be, at least, above the suspicion of inaccuracy. In the administration Report 1872-3, Mr. F. H. Blandford tells the Government of Bengal that—first, falsification has been deliberately attempted in some cases, and the figures of one year simply recopied for the registers of succeeding years; secondly, that several native observers have been dismissed for carelessness and deception, and have proved untrustworthy without supervision; thirdly, that an observatory at Calcutta and a trained body of observers of a higher class are the only means to remedy these evils. In the Meteorological Abstract of 1872, Mr. Blandford had already complained that the fewness of stations in Madras and Burmah prevent an accurate knowledge of the climate of the Bay of Bengal. In his Memorandum, 1871, he stated that he feared a large mass of meteorological records now accumulating would prove useless—the readings of many barometers being unreduced—their errors and their elevations being unrecorded. He urged the systematic observation of the spring, summer, autumn, and winter rains; of the winds on which they depend; of the barometric pressure which determines and causes the direction of these winds; of the differences in the physical geography of India; and of the variable humidity of the air. Major General Strachey, Mr. Chambers, Dr. Forbes Watson, and Mr. Buchan all agree with these suggestions. India delays to provide against famine—England holds the late Government blameless—trusting to the meteorological observations, which the highest authorities tell us are neither extensive

enough nor accurate enough to be entirely trustworthy. Both India and England agree that an extended and reorganized Meteorological Department is necessary. Will the noble Lord tell the House why it is still only under consideration? This is not merely a question of spending public money on pure science. Even our imperfectly obtained inference of Indian meteorology seems to show that famines come in cycles. The North West Famines of 1837 and 1860 both followed several years of climatic irregularity—a phenomenon supposed by Colonel Baird-Smith to be the forerunner of a total failure of the usual rainfall. The Orissa Famine of 1866 arose from the rain ceasing in September, the geographical isolation of Orissa and an inexperience of what was really the famine price of rice, an inexperience now remedied by the Returns of the District Commissioners. Mr. Clements Markham, the distinguished Secretary of the Geographical Society, from whose public compilations in the few Indian Blue Books so tardily vouchsafed to the English public, and from whose writings in *Ocean Highways* I have quoted my facts—himself proves that meteorology can prove a good investment for Government money. Mr. Markham brought—as only a meteorologist could bring—the seeds and plants of the chinchona tree to India from Peru, and millions of chinchona trees now growing on the Nilgiri hills produced a revenue in 1873 of over £13,000, and 33,000 lbs. of bark annually help to prevent the disease that invariably follows famine. My attention was first called to the subject in consequence of my reading a statement which appeared on November 3, 1873, in *The Daily News*—a paper to which the country is indebted for most talented criticisms in relation to the famine in India—that the average rainfall of the last year was only 42 inches, while the average of the last 19 years was 60 inches. I hope the Under Secretary of State will arrange that the Indian Blue Books are published sooner, and will lay on the Table of the House the despatches for which I have moved.

LORD GEORGE HAMILTON said, he had no objection to lay on the Table the despatches for which the hon. Member had moved. The last despatch received from Lord Northbrook intimated the noble Lord's intention of organizing

a more complete system of taking registers of observations; but he proposed to postpone that system until he had prepared the Estimates, as it would entail some expense. In the Estimates for 1874-5, provision had been made for a system such as that indicated by the hon. Member.

#### SALE OF INTOXICATING LIQUORS IN IRELAND ON SUNDAY.

##### RESOLUTION.

MR. R. SMYTH, in rising to call the attention of the House to the present state of the Law and of public opinion in Ireland with respect to the sale of Intoxicating Liquors on Sunday; and to move—

"That, in the opinion of this House, the Law which prohibits the sale of Intoxicating Liquors on Sunday in Scotland ought to be extended to Ireland,"

said: I owe to the House an explanation of, and probably also an apology for, the form in which this question is now submitted to the judgment of Parliament. The House is aware that I introduced a Bill, the object of which was to make compulsory the closing of public-houses in Ireland during the whole of the Lord's Day, that Bill having stood for second reading on Tuesday last. On account of the prolonged and important debate of that evening I was precluded from submitting the measure for discussion, the hour of half-past 12 having been reached before the Orders of the Day were read, after which time, as every hon. Member knows, an opposed Bill in charge of a private Member cannot be considered. I was then informed by Members of long Parliamentary experience that it was hopeless to expect a debate and division on the Bill during the present Session, unless my way was facilitated by the Government. I applied to the Government for a night, but it did not consist with their arrangements to grant my request, and I then at once withdrew the Bill, and determined to take the sense of the House upon an abstract Resolution. The question is one in which the people of Ireland are deeply and all but universally interested, and I am anxious to know as soon as possible how far this House is disposed to make a concession to Irish opinion on a subject which is totally withdrawn from the region of

party politics. I wish to say, in all sincerity, that I do not bring forward this Resolution in any spirit of hostility to the licensed victuallers of Ireland. That great general question I let alone, as it lies outside the terms and scope of my Resolution. The traders and the trade in liquor, distilled and fermented, may be most respectable and proper on six days of the week—superior in respectability to many other lawful traders and trades—but what I have to show is this, no more and no less, that it is for the advantage of Ireland, and that it is the wish of Ireland, that this particular trade should be subjected to the same restrictions on Sunday as those which are imposed upon other trades having to do with articles of popular consumption. I find it necessary to say this, because some misconceptions prevail as to the motives which actuate those who are promoting this movement, and as to the method they adopt for compassing the end they have in view. I have here a circular issued by the Licensed Grocers' and Vintners' Protection Association of Ireland, in which it is proclaimed that the friends of Sunday closing "employ themselves not in promoting temperance, but in traducing the characters of all who are engaged in the licensed trade." Now, apart from the fact that those who are active outside this House in seeking a modification of the law are men of the most unimpeachable character and unquestionable benevolence, free from every just suspicion of selfishness—apart from that, I must remind the House that a considerable proportion of the spirit dealers of Ireland are in favour of Sunday closing, have petitioned this House to that effect, and are among the most active promoters of the movement. Surely these men, who are in the trade, are above suspicion, and cannot be supposed to be traducing their own character, or writing down their own condemnation. But, whatever some people may say or do outside this House, I emphatically disclaim making the Motion a basis of attack upon a trade which has the sanction of the Legislature, and which is meeting what is still regarded as a want of the community. It is very difficult for Englishmen to comprehend why a movement of this sort should become so popular in Ireland; because there are ideas entertained in England, espe-

*Lord George Hamilton*

cially about the use of beer, which seem inconsistent with the adoption of any such law as that which I advocate, and which to the most of Irishmen seem very strange. To illustrate what I mean, I may mention that I had lately a conversation with an intelligent English gentleman on the subject of the brewers' licence, of which he very much complained. Indeed, he appeared to think, and in effect said, that, if it were not for the persecution to which brewers are subjected, England would be the freest country in the world. I urged that, in a matter of revenue, luxuries ought to bear their full share of the national burdens. "And do you call beer a luxury?" he asked, with surprise and almost pity—"I call it a necessary of life, and I would not keep any man in my employment who did not drink two pints of beer in the day." An Irish labouring man who had never been out of his own country, and who knew no habits and customs but those of his own country, would be astonished to hear such a sentiment as that propounded. The Irish poor do not drink beer at all, but a liquor of more potent qualities, which is far more rapid in its action, and, I suppose, more suited to the liveliness of the Irish temperament. I shall revert to that again; but just now I wish this House to consider that by the Act of 1833 public-houses in Ireland were thrown open at 2 o'clock, and the law continued so until 1872. The evils arising from Sunday drinking had become so obvious to the country and to Parliament that, in the Intoxicating Liquors Licensing Bill of 1872, a further restriction was introduced as regards that day of the week, and a compromise was proposed and carried—the compromise, however, not being cordially acquiesced in—that public-houses should be closed on Sunday, except from 2 o'clock to 7 o'clock in some cases, and in others from 2 o'clock until 9. Why was the change made? Because the country found that to keep public-houses open till 11 o'clock on Sunday night led to growing and intolerable evils. The people were at leisure on that day, and laborious occupations being relaxed, temptation came with a force that it was hard to resist. Parliament, I am sure, never dreamed that by closing public-houses during a part of Sunday it was inflicting a wrong upon the people. It

was done for their good and for their protection, and no remonstrance has ever come from the people of Ireland that their liberties were unduly invaded. The experiment which Parliament tried has been so far successful that we now ask Parliament to take a further step in the same direction. Drinking has been greatly diminished on Sunday, as police statistics show, and yet there has been no complaint that the people were subjected to partial coercion as regards their Sunday life and practices. Now, what is the evidence we have as to the state of public opinion? There are only two ways whereby the House of Commons can arrive at an accurate estimate of the force of popular opinion. The one is by Petitions, and the other is by the votes of Members themselves, who must be supposed to gauge with some interest the sentiments of their constituents. Well, I am willing that Irish opinion should be measured by these two tests—by the Petitions which have been presented and by the votes which the Irish Members will this night record. As to the first test, we have Petitions from 50 Corporations and Boards of Town Commissioners, from 80 Boards of Guardians, from the Governing Bodies of all the leading religious denominations in Ireland, from the licensed grocers and victuallers of Dublin, from the grocers' assistants in Dublin—a Petition signed by 730 of them—from public meetings, from congregations, from incumbents and churchwardens, and from people of every class and creed, and not one Petition against the measure. It cannot be affirmed that the people do not Petition because they have no fear that the law will be changed. On the contrary, a portion of the trade has been exceedingly active in endeavouring to stir up the people to resist the measure by every constitutional means—and petitioning is the most constitutional of all means—and yet there has been no response. Why? For this simple reason—that, with the exception of a certain class of publicans themselves, the people of Ireland are either favourable to Sunday closing or wholly indifferent. Another argument, drawn from popular opinion, is this—Sunday closing has been tried in three Roman Catholic dioceses in Ireland with perfect success. If the people were not either favourable or indifferent there would surely be remonstrances

heard from Kilkenny, Cashel, and Kilmore, where the experiment has been tried. But I shall let the distinguished, philanthropic, and patriotic Prelates who have initiated the movement speak for themselves. The right rev. Dr. Furlong, Bishop of Ferns, says, in 1872—

“The closing of public-houses on Sundays in this diocese dates from June, 1857. It has been since that time faithfully observed; and the scenes of drunkenness and disorder which were in former times but too frequent, have altogether disappeared.”

The most rev. Dr. Leahy, Archbishop of Cashel, writes thus—

“The experiment we have made in this diocese, put to the test of a 12 years’ trial, has, thank God, realized my most sanguine expectations. Does it not, moreover, justify my strong conviction of the practicability of applying—and of the great gain to the cause of public morality that must arise from applying—a similar law for closing public-houses on Sundays to the whole kingdom? To be successful, however, in the large towns, it must be the law of the land, with or without the law of the Church. Unaided by the State, the law of any Church forbidding the sale of spirituous liquors on Sundays would not be observed, could not be successfully enforced in the larger towns.”

The right rev. Dr. Conaty, Bishop of Kilmore, says—

“The closing of public-houses does not in any possible way contribute to illicit sale, as unlicensed houses are unknown amongst us. Any person with an accurate knowledge of the country knows that many of the deeds of daring and violence which have occasionally disgraced our people were concocted and matured in public-houses notable for Sunday traffic. The Sabbath being a day of rest, the young and unwary assemble in the haunts of the idler, the plotter, and the drunkard. Here it is that wicked and designing men ply their victims with drink, and then engage them in societies alike subversive to order and religion. Close the public-houses, and you deprive all those parties of a legalized rendezvous. Their daily toil or necessary avocations will prevent their meeting on week days.”

Perhaps some hon. Members will talk about coercion, and will, in an unguarded moment, call this the foreshadowing of a new Coercion Bill; but I ask the House to determine for itself whether the Irish people are in the habit of petitioning for Coercion Bills. They believe—rightly or wrongly—that they have enough of coercion; and you may depend upon it when they petition in favour of Sunday closing, the very last thing they believe is that they are praying to be coerced by the Imperial Parliament. In this connection I must trouble the House with some other

testimonies. The Bishop of Galway writes—

“Anything I can do to assist you in your truly praiseworthy endeavours to have public-houses closed on Sunday I shall do most cheerfully. I hardly know of any measure that would prove a source of greater and more lasting blessing to religion and society. The present condition of things, the fearful evils resulting from Sunday drinking, are a disgrace to Christian civilization, and no exertion should be omitted to remedy this state of things. Closing of public-houses on Sundays and holidays seems to be the most effectual available remedy.”

The Bishop of Ossory says—“I heartily wish every success to the Sunday Closing Bill.” The Cardinal Archbishop of Dublin writes—

“Drunkenness, the source of nearly all the crimes committed in this country, and the occasion of temporal and eternal perdition to thousands of our fellow-creatures, is admittedly on the increase here and elsewhere. Hence, I cannot but wish success to the efforts of those benevolent gentlemen who are endeavouring to stop the growth of so hideous and degrading a vice by inducing Parliament to pass a law prohibiting the sale of intoxicating liquors on Sundays. A measure of this kind seems well calculated to prevent the desecration of a day which should be specially devoted to the worship of God and the sanctification of our souls.”

I do not think it necessary to enter into any defence of the proposal to surround Sunday with special legislative sanctions, for the principle which underlies that proposal is universally recognized in British legislation. In the laws of this country, the Lord’s Day is not as other days, and if we, who advocate the measure now under consideration, are twitted with being Sabbatarians, it is sufficient for our present purpose, even without making an appeal to that law which is, and ought to be, paramount within these walls, to make an appeal to the genius and principle of British law, which places a restraint on the trading occupations of the Day of Rest. But, descending from this high platform of principle, I have no reluctance to argue the question on the lower ground of popular convenience. It is urged that the people must have drink on Sunday as on other days, and beer will not keep. Well, I am very sorry that beer—which, in England, is considered a necessary of life—will not keep. Is there any other necessary part of the food of man which has within it such elements of mortality and decay? It is strange that this 19th century, so fruitful in discovery, has produced no chemist of sufficient genius



and philanthropy to provide some means whereby a poor man's draught-beer can be kept alive from Saturday night till Sunday afternoon. Is that all that is needed to carry this Resolution? But the House will observe that, even if that achievement were added to the triumphs of the 19th century, it would only affect England and not Ireland, for, as I have said, the poor in Ireland do not drink draught-beer at all. They drink whisky. [*Laughter and cheers.*] Yes, but they drink it as a stimulant and not as food. And what will be more surprising still to English Members is this—that Irish labouring men do not drink, as a daily beverage, any intoxicating liquors at all. [*Ironical cheers.*] That statement is evidently received by a few hon. Gentlemen on the other side of the House with incredulity; but I challenge any Irish Member of this House to stand up in his place and tell us that to his knowledge it is the custom of Irish labourers to have either beer or whisky on their daily dinner-table as a portion of their ordinary nourishment, as English labourers have their beer in England. They know that there is nothing of the kind. The Irish poor drink at fairs and markets, and for good companionship; but this theory of drink being a necessary of life has not yet found a footing in Irish civilization. Hence the whole Sunday beer argument is inapplicable to Ireland. As regards whisky, if it will not keep from Saturday night till Sunday afternoon, the fault is not in the whisky. Again, we shall be told that this is class legislation—the rich have their clubs on Sunday, and why should not the poor have their taverns? Well, in my humble judgment, the best club for both rich and poor on the Lord's Day is their own family circle. But that will by some be considered as a transcendental, and even antiquated view of life. Be that as it may, I see no analogy whatever between a club and a public-house. A club is a select society of gentlemen, associated because of some community of opinion or object. [*Dissent.*] Is not that so? I stand corrected; but that is what I understand by a club—that the members select the members; but in a public-house there is no balloting for admission, nor is there any blackballing of a village desperado of extreme practices or opinions. Further, a club is

composed of persons of one sex; whereas public-houses are frequented by promiscuous assemblages of both sexes. I heard a clergyman from the East of London say, not long since, at a public meeting, that he set a trustworthy man to watch a tavern in that part of the City one Sunday evening, and he found that from half-past 6 until 9 o'clock, 770 persons entered the tavern, and of these, more than two-thirds were young persons of both sexes under the age of 20 years. And this, we are gravely told, is similar to the rich man's club. But the vital difference is—and it is here the analogy totally breaks down—a rich man can visit his club and drink none—a poor man must drink if he visits the public-house at all. He cannot have society without it, for if he will not drink he must make room for somebody who will. I now turn the other edge of the argument, and I affirm that, as the rules of society now stand, there is one law for the rich and another for the poor, and if it is desired to place the poor on the same footing as the rich—and I, for one, most heartily wish it, though I have serious misgivings about the real friendship of those who will give the poor drink, and withhold from them some other thing which would do them more good—if you aim at equality, then I submit that the first important step in that direction will be the closing of public-houses on Sunday. As the case now stands, there is no analogy between a club and a public-house. You might as well say that there is a similarity between a watch and a farmer's cart, because both of them have wheels. There is another reason why we expect legislation in this direction to take place with respect to Ireland. Parliament has already conceded the principle of separate legislation in this matter by enacting a law for Scotland the exact counterpart of that which Ireland now seeks. Scotland asked it, and got it. There is an impression prevailing in the outer world—perhaps it is only a superstition, but it prevails—that a majority of Scotchmen on a purely Scotch subject is infallible, and I am sure I should be sorry to see any reversal of that political dogma, for I believe nobody understands their affairs better than they do themselves. A majority of the Members and constituencies of that country came to Parliament in 1853 with a request that public-houses

should be closed during the whole of Sunday, and the thing was done at once. Scotland, I would request the House to remember, was not unanimous; and, therefore, you cannot fairly demand unanimity in Ireland. That law was passed for Scotland 20 years ago, and the country in whose interest it was enacted has never come asking its repeal. So far from that being so, I was told by my hon. Friend the Member for Edinburgh (Mr. M'Laren) that the people are so well satisfied with the present state of things that it would raise a storm of resistance all over the country if Parliament were to make any attempt to throw open the public-houses on the Lord's Day. But no such attempt will be made. No theories of assimilation will ever prompt a prudent Legislature to thrust upon a nation that does not want it a measure to repeal the Forbes Mackenzie Act. There may be Members of this House who think that Scotland made a mistake in 1853, and again in 1862, and that drunkenness has rather grown than diminished in that country in later years. Now, that is an allegation which is not to be made good by vague assertions, and I most distinctly dispute it. Everyone who has thoughtfully considered this subject knows that the large cities is the difficulty Parliament has to contend with in any attempt to close public-houses on Sunday, and I have heard it asserted over and over again that in great cities like London, Dublin, and Edinburgh, the law could not be enforced. Well, but what of Edinburgh? It has been enforced there, and with what result? In that city, the total number charged by the police for drunkenness in 1853 was 5,727; whereas in 1872 the number had fallen to 1,789. On Sundays in 1853 the number charged was 641; in 1872 it was only 150. From Sunday morning till Monday morning, in 1853, it was 333; in 1872 only 54. On Mondays in 1853 the number was 728; in 1872 it was 251. "Yes," some one will say, "but the people will lay in a supply on Saturday night, and get drunk in their own houses." If that were so, the country, at any rate, would be spared the rioting and public disgrace which ensues when Sunday evening assemblages become the worse for drink. I shall not attempt to appraise the moral distinction between a man getting drunk

at home and going quietly to bed, and getting drunk in the public-house and breaking his neighbour's head. I am sure the publican would prefer the former method, because he gets the same drink consumed with equal profit and far less trouble to himself. So that if people will really supply themselves on Saturday night, then I claim the support of the publicans for this measure, for the increased trade of Saturday night will compensate for the abolished trade of Sunday. But we must have some proof of this home-drunkenness, and I do not know where it is to be found in Scotland, since the statistics are all against such a theory. The consumption of spirits in Scotland went down from 7,096,894 gallons in 1851, to 5,671,477 gallons in 1871, though the population had increased from 2,888,742 to 3,358,613. The diminution in the consumption of strong drink is most remarkable, and, in the face of these figures, I hope we shall be spared any attempt to throw discredit on the Acts of 1853 and 1862 in Scotland. Perhaps hon. Members will demur to this line of argument on the ground that Irish and Scottish ideas about the Sabbath differ very widely. But in what do they differ? Not certainly on any point which is raised, or ought to be raised, in this discussion, for we are not now concerned with questions of polemics, but with the one question of Sabbath sobriety. Happily, sobriety is not the appanage of any religious creed; and if, under cover of a free construction of Sunday law, you try to fasten upon the religious people of Ireland, whether Protestant or Catholic, a theory in favour of drinking in public houses on Sunday, I am persuaded you are crediting them with a social doctrine which they would be among the first in the United Kingdom to disavow. Who oppose us? I shall tell the House. It is the National Licensed Victuallers' Defence League of England. At a meeting of that body, held in Birmingham on the 14th of last month, the chairman is reported to have said that "the League was determined to oppose Mr. Smyth's Bill for the Sunday closing of licensed houses in Ireland, and to assist the Irish trade in rejecting it." We have reason to be very much obliged to these philanthropic gentlemen, who know as much about Ireland and its wants as a mole knows about the mountains of the moon, for taking our

country under their protection. I am quite willing that Ireland should be ruled by the Queen, Lords, and Commons of this united nation, and may that union never be shaken; but I am not willing that the licensed victuallers of Birmingham should constitute themselves a Parliament for Ireland. All classes, occupations, creeds, political parties, have united in coming before Parliament to support this proposition. I offer no opinion on the question as it affects England; but I suspend my judgment until I hear the arguments. If it can be made out that necessity and mercy demand exceptional legislation as regards Sunday trading in liquor within the limits of England, then for my part I shall consider well these weighty pleadings in its favour; but with all that at present I have nothing to do. The majority of Irishmen—and, I am persuaded, the majority of their Representatives in this House—wish to have no Sunday trading in liquor in Ireland beyond the limits and ends for which inns were anciently instituted—the convenience of travellers and others who make them their temporary homes. Inns were originally intended to be places of rest and refreshment, and not places of carousal and revel, and I am far from saying that the traveller and the lodger should be debarred on Sunday from the rest and the refreshment which these establishments afford. But I beg the House to look at this question from an Irish point of view alone. Irish questions are at a heavy discount in the minds of many Englishmen just now, and I am not careful to inquire whether or not there are grounds for this fretful distrust; but when I call to mind the candid and generous assurances which came from the Treasury Bench early in the Session, in a speech by the right hon. Baronet the Chief Secretary for Ireland—a speech of which I never heard an Irish Member speak without satisfaction, or even admiration—[“No, no!”]—I mean the speech delivered during the debate on the Address—assurances that Irish questions of a social and sanitary character would receive every consideration from the Government, I am encouraged to hope that on a question like this, which is social, local, and moral in its bearing, wholly divorced from party politics and from Imperial entanglements, this House of

Commons, led by a powerful Government, will pay some kindly and even indulgent deference to Irish opinion. Scotland is with us. May I appeal to England? I am well aware that there are sometimes unreasoning forces lying behind us in our constituencies, impelling us onward to reluctant action. But reason and justice will triumph in the end, if we have only the courage to use the one and to do the other. I am among those who have thought that the interests of Ireland would be best maintained by an unimpaired union with the sister countries; but when we find the Members of Parliament, to whose counsels we cling, coming down to this House to overbear the Irish vote on a question which concerns only the social habits of the people, and has no political significance whatever, there will be secret reflections whether we are much wiser than many of our fellow-countrymen who have disavowed all confidence in the present Government of their country. Even to carry this Resolution I do not want an Irish Parliament; but I must add that if we had an Irish Parliament, it is among the first that would be carried. I have no more to say. I thank the House most heartily for its indulgence, and leave the issue in its hands.

#### Amendment proposed,

To leave out from the word “That” to the end of the Question, in order to add the words “in the opinion of this House, the Law which prohibits the sale of Intoxicating Liquors on Sunday in Scotland ought to be extended to Ireland,”—(*Mr. Richard Smyth*),

—instead thereof.

Question proposed, “That the words proposed to be left out stand part of the Question.”

MR. CALLAN: I rise to oppose the Motion of the hon. Member for Londonderry, and I wish to state very distinctly that I am not acting as an advocate of the licensed victuallers, nor because I am in favour of the unrestricted, and much less the indiscriminate, sale of intoxicating liquors in Ireland on Sundays. I oppose the Motion, because I dislike all Motions tending to such compulsory prohibitive legislation, and also because the Motion, if carried, will do more to promote illicit drinking in “shebeen houses”—an Irish name for whisky shops of the lowest order—than any-

thing that could be proposed. I entertain rather a sanguine opinion that the Members representing English constituencies in this House will aid us, who are not the small minority of Irish Members that he described, in preventing such unfair legislation with regard to an important portion of Irish trade. I have been surprised by reading in an Irish newspaper a report of a deputation to the Chief Secretary for Ireland, in which I find it stated that the greatest and most complete unanimity exists in Ireland among all classes and trades as to the desirability of passing this Motion and the Bill to which it refers. I take it from my own personal knowledge that there is nothing like unanimity in favour of this Bill; on the contrary, as the division will show, there is no unanimity among the people of Ireland, and still less among the Irish Representatives in this House, on the subject. It is true that a very inconsiderable minority are in favour of the extension to Ireland of what, for want of a better name, I may call the Scotch Sabbatarian observance; but I submit that the hon. Gentleman has made out no case whatever for his Motion, and as this is the first occasion on which such a Motion has been brought before this Parliament, perhaps the House will allow me to refer briefly to the history of the Sunday Trading in Ireland Bill, which was brought before the late Parliament. In 1868, a Bill for regulating the sale of fermented and distilled liquors by retail on Sunday in Ireland was prepared and brought into this House by the hon. and gallant Member for Longford (Major O'Reilly), and the then Members for Monaghan and the City of Dublin—Lord Cremorne and Mr. Pim. The Bill was read a first time, and ordered to be read a second time on February 28th, and its object was to extend the prohibition of the sale of liquors on the premises to the whole of Sunday; but it permitted the sale of liquors to be drunk off the premises from 2 to 4 and from 8 to 9, and their sale by eating-house keepers to their customers at meals. After discussion in this House the Bill was referred to a Select Committee, consisting of 15 Members. That Committee sat for 13 days, extending over two months, and they examined 22 witnesses, including present and ex-stipendiary magistrates, Chief Commissioners of Police, and

others of large experience relating to every kind of drinking in Ireland, and their unanimous Report came before the House in the form of a Bill as amended by the Select Committee, and introduced by the same hon. Gentlemen on the 26th May in the same year. That Bill merely restricted the hours for the sale of liquors, either in or off the premises, from 2 to 7 in rural districts, and from 2 to 9 in cities and towns, and it gave powers to magistrates to extend or restrict the hours within certain limits. The Bill, however, was not persevered in, and in 1869 it was understood that the subject would be dealt with by the Government. The Government did deal with it in 1872, when they embodied in their Bill the recommendations of the Select Committee. They fixed the hours of sale as they now exist in Ireland on Sundays—in the rural districts from 2 to 7, and in towns of over 5,000 inhabitants from 2 until 9. I may ask, what case has been made out to justify any interference with the existing Act, almost before we have had time to realize its beneficial effects? What evidence has he brought forward to displace that given before the Select Committee? The hon. Gentleman has brought forward no evidence, but he has largely quoted the opinions of Prelates, and I must say that he has almost menaced a section of this House with the opinions of certain members of the hierarchy. As a strong and decided Ultramontane Roman Catholic, I give every obedience to my Bishops in their proper sphere, but I would not permit their interference with me here, any more than I would permit the interference of any other of my constituents here, where I am acting in my representative character. Has he produced any report in favour of this change from magistrates, from police, or from any of the authorities who are responsible for the good order and government of Ireland, and the accuracy of which could be tested? In the evidence given before the Committee which sat on this subject in 1868, one of the Chief Commissioners of Police in Dublin states that public-houses in Dublin and elsewhere in Ireland were generally very well conducted, and if they were closed on Sundays they would be superseded by low unlicensed houses, where necessarily a great deal of drinking and disorder must occur. That was the evidence of a man who has had ample ex-

perience of the present system, and he adds that it is not advisable at present to change it. The day may come, he says, when it can be done, and he hopes it will; but during the present generation it would not conduce to the public benefit to make any alteration. Then, again, there is the testimony of Mr. Richard Carr, the Chief Superintendent of the Dublin Police; and what does he state, after 30 years' experience? That drunkenness has greatly decreased, and that it is not at all necessary to close public-houses on Sundays. There is, he continues, less drunkenness in Dublin on a Sunday than any other day in the week, and he is quite certain that closing public-houses on Sundays would lead infallibly to illicit drinking. The Mayor of Cork stated before the same Committee that such a measure would create discontent, and a most eminent Catholic clergyman of Dublin, the very Rev. Canon Spaight, declared the total closing of public-houses on Sundays was a measure he could not recommend; that people came out on those evenings to walk and inhale the fresh air; and that it would be a very great hardship if they were not permitted to obtain some refreshment. The Mover of this Resolution referred to the unanimity of Irish Members as shown by their votes on the last division. I am not prepared to accept that unanimity as a guide to the present state of feeling, for I will not accept the unanimity of the last Parliament on a measure of social coercion, any more than I am or was prepared to accept it for the coercion of my country; and it is a singular fact that every Gentleman who voted in the last Parliament for Sunday closing in 1870 or 1872, voted for political coercion for Ireland, and the majority of them have been relegated to private life. The hon. Gentleman compared the amount of drinking in Ireland and in Scotland, and he said that Scotland, in 1851, with a population of 2,888,742, drank 7,096,894 gallons of spirits—which is an extraordinary quantity—while, in 1871, a population of 3,358,613 in Scotland only drank 5,671,477 gallons. But he did not inform the House that that was caused by the equalization of the spirit duties. I will now give him a fact that he may get up some statistics upon. It is as to the improved drinking habits of the people of Scotland since the Sunday

Closing Act has been in force. I may mention, as a statistical fact, that even though that country has been favoured by the operation of the Forbes Mackenzie Act, Scotland, with a population of 3,500,000, now consumes 500,000 gallons of whisky more than Ireland, with a population of 5,500,000—so that with that Act, a Scotchman drinks nearly twice as much spirits as an Irishman. I should like to quote a newspaper which is the organ of the body whose worthy representative we have in the hon. Member. It says that an excellent example has just been set in the Dominion of Canada, and that “many speeches have been made or spoiled, and many a vote given or lost, through the influence of what is called a heated imagination.” It goes on to use that as an argument for this Bill, and declares that the destinies of our Empire may some day be affected very seriously by “the consumption of liquor on the premises.” But I do not think there is any danger to be apprehended from allowing the Irish artisan to drink beer on Sundays, and as one who has devoted great attention to the subject, and who has mixed much with the Irish artisan class—not in the North and South only, but in the centre, in Leinster and Ulster—I can assure the House that there is no unanimity on the point in Ireland, and that, on the contrary, in the county from which I come, and the adjoining districts, there is a strong and most determined hostility to this Sabbatarian Bill.

LORD CHARLES BERESFORD said, he should oppose the Motion. He considered it a much worse evil that public-houses should be closed on Sunday than that they should be open; because people who were fond of drinking would lay in a stock of liquor on the Saturday night, and be certain to be more drunk than ever on Sunday. In the ordinary course of things, on the other hand, if people went into a public-house on a Sunday, and exhibited the least sign of inebriation, they would receive notice to quit. The hon. Gentleman's proposal was a serious thing for Ireland. Hon. Gentlemen who approved of it had good reasons to be satisfied with the working of the Forbes Mackenzie Act in Scotland; for there the people got so drunk of a Sunday as to occasion no trouble to their friends or to the police except to cart them home. If it should come to pass



in Ireland, however, each individual member of a family would feel it his duty to lay in a stock for the Sunday, and were the wish to do so not granted, there would be family jars; and, he feared, sometimes of a very serious character. He thought it a most tyrannical wish on the part of anyone to endeavour to stop a poor man's beer on the Sunday. The rich had their cellars, and were indifferent—they could keep their beer for any length of time in prime condition. He had no doubt his hon. Friend the Member for Londonderry (Mr. R. Smyth) had an excellent cellar, but the poor man could not afford to keep one; and he should like to ask any hon. Gentleman, supposing he could only afford two glasses of beer a-day, how he would like to have to draw it in a jug on Saturday night, and put it in the cupboard until Sunday? It would be more like physic by that time than beer. There was an old ditty with which many hon. Members were no doubt familiar, which he thought peculiarly applicable to the proposition to stop a poor man's beer on a Sunday. It had a touch of sentiment about it, which he trusted would not appeal in vain to the better feelings of the hon. Member for Londonderry, and its closing lines were—

"Confuse their eyes

If ever they tries to rob a poor man of his beer!"

THE O'CONOR DON: I do not intend to follow the noble Lord who has just addressed the House in regarding this subject as one suitable only for laughter; because this is a question of far greater importance than to be laughed down by jokes. But before I go any further I would like to make one remark on the almost concluding observation of the hon. Member for Dundalk (Mr. Callan), who stated, as a matter of fact, that when a Bill of this description was brought forward in the late Parliament, every Irishman who voted in its favour had also voted in favour of the Irish Coercion Bills, or Bills that ordinarily went by the name of Coercion Bills, and that nearly all of them had lost their seats at the late Election. I cannot answer for any other hon. Member but myself, because I do not remember the names of those who took part in that Division; but I can say for myself that since I have been in this House I never

voted for a Coercion Bill, although I did vote for the Bill introduced by Sir Dominic Corrigan. Therefore that statement is without foundation.

MR. CALLAN: It was wholly unintentional on my part to appear to include the name of the hon. Member for Roscommon. I have the greatest respect for that hon. Gentleman, and would not like to impute anything of the kind to him.

THE O'CONOR DON: I accept the explanation of the hon. Gentleman with regard to myself; but I dare say if he looked at the Division Lists he would find the names of others as well, about whom he has been mistaken. Further, I believe on that occasion there were only eight Members representing Irish constituencies who went into the lobby against the Bill brought in by Sir Dominic Corrigan; and out of these eight Members, as I am informed, at least a majority have not been returned. But, Sir, this is not the real question at issue: I would come to what is the proposal before the House. No man in this House has naturally a greater objection to restrictive measures upon the transactions of individuals, and upon the proceedings of trades than I have. No man in this House holds a stronger opinion that we should legislate as little as possible in interfering with social arrangements or with the business of the country; and I should be the last man in this House to support a Bill such as is embodied in the Resolution before the House if I believed it would come under that description. But when I hear that argument used against a Bill for restricting the sale of liquors on Sunday, I confess I feel quite amazed; because, what is all our legislation with respect to the sale of liquors? Is it not all restrictive? Is there any man who would propose in this House that there should be unrestricted sale of liquors at every hour on every day, by every man who chose to sell them? We know that such a proposal as that would not be listened to for a moment. Therefore, there is no question here of principle—it is simply a question of degree. At the present moment you do restrict the sale of liquors on every day of the week, but you do not restrict other trades, and the question with regard to a further restriction on Sundays is not a question of principle but simply a question of de-

*Lord Charles Berensford*

gree, and that degree is to be arrived at by ascertaining what, in the general opinion of the country, would be best for the public good. That is the point we have to regard. As to this proposal in reference to the sale of liquors on Sunday, instead of the Resolution being one embodying a restriction, it is to my mind one which simply does away with a favourable exemption which has hitherto been enjoyed by the publicans; instead of the proposal foreshadowed in the Resolution of the hon. Gentleman behind me (Mr. R. Smyth) being one for the imposition of restrictions, it is simply one for doing away with exemptions. You have, as has already been pointed out to the House, restricted the carrying on of every other trade on Sunday; but you have existing at the present moment exceptions in favour of the sale of liquors, and it is simply the doing away with these exceptions that the hon. Gentleman advocates, and not the origination of restrictions. So that upon both points I say that the Bill foreshadowed in this Resolution would in no way offend against our peculiar notions of legislation. But the real question after all is this—Would the passing of a Bill of this description tend to the general good of the country? Would it, in other words, put down excessive drinking on Sundays? Now, Sir, I think that that will in a great degree depend on what is the general feeling of the country. We know that in certain districts in Ireland the public-houses have been closed voluntarily through the instrumentality of certain Prelates of a certain Church, the population having voluntarily submitted themselves to ordinances promulgated by those Prelates. But we have heard it argued—and I entirely agree in the statement—that the results following from this voluntary closing of public-houses cannot be taken as a proof that similar results would arise if the public-houses were closed against the wish of the people. Therefore, I say that what we have to consider is this—Are the people of Ireland in that state of feeling in respect to this subject that they will not feel the closing of these public-houses a grievance, and will not feel a want arising from the fact of their not being continued open? This is the really important question at issue on this point, and I for a very long time was unable to

make up my mind upon it; but, on a full consideration of the subject, I have come to the conclusion that in the vast majority of instances public opinion is in favour of this proposal; and this being so, I believe that the same good results would arise that have already arisen in those districts where undoubtedly the people are in its favour, and where the public-houses have been voluntarily closed on the Sunday. The hon. Member for Dundalk (Mr. Callan) has spoken of something like an inconsiderable minority of the people of the country being in favour of the proposal; but I do not know in what way we in this House are to arrive at what is the majority or the minority in Ireland with regard to this question. The hon. Gentleman behind me (Mr. R. Smyth) adduced certain proofs that the majority of the people in Ireland were in favour of the proposal. He alluded to the number of Petitions presented to this House in favour of the proposal by the corporations of many different towns and boroughs. A number of representative bodies—the Poor Law Boards—in Ireland petitioned in its favour, and yet the hon. Member for Dundalk, without adducing one single argument or proof that there was any feeling in Ireland against it, asks the House to believe that those in favour of it are an inconsiderable minority. The hon. Member for Dundalk asks, where are the expressions of opinion on the part of the magistrates in its favour? I was of opinion that the Poor Law Boards of Ireland were mainly composed of the magistrates of the country. We have it on the statement of the hon. Member for Londonderry (Mr. R. Smyth)—which I assume to be correct—that Petitions have been presented from 80 Boards of Guardians in Ireland in favour of this proposal; and that number I believe to be a majority of the Boards. Well, these Petitions are either accepted and approved of by the magistrates who are members of those Boards, or they represent, not the magistrates, but the elected guardians returned by the people of the country. Therefore, I put this alternative to the hon. Member for Dundalk—these Petitions either represent the opinions of the magistrates, or they express the opinions of the representatives of the people in whose interests it is argued these public-houses are to be kept open; because the elected guardians

are responsible to small farmers of the country—the small tenants—in whose behalf these public-houses would be kept open, and if the guardians were to sign Petitions to Parliament to have these houses closed, and that this was considered a grievance, they would very soon be sent about their business. They know this so well that they would not venture to send such Petitions without being sure they were supported by the feeling of the electors. I think, then, that we must take these opinions of the Boards of Guardians as representing fairly the two classes—the magistrates on the one hand, and the elected guardians on the other—and I contend that, as representing both, they form a very important element in the consideration of what is the feeling of the Irish people on this subject. It is astonishing to find in the face of this an hon. Gentleman saying that there is only an inconsiderable minority in favour of the proposal, while he does not adduce one single argument in proof of any feeling against it. My opinion is that the feeling of the people of Ireland of all classes is in favour of it. I know that there might be great difficulties in carrying out the proposal in some of the large towns. This was one of the reasons why I hesitated for a long time about joining very heartily in the movement. It was not because I thought that in nine-tenths of Ireland it would not result in good; but I did think that in certain large towns it might be very hard to carry it out in practice, and that if this were not really done it might, I thought, be really worse than if the proposal were not passed into law. But I think, Sir, that the example of Scotland is a sufficient justification for at least trying the same thing in Ireland. Of course, we are told that there is a great deal of drinking on Sundays in Scotland, and so, I believe, there is; but I think it a remarkable fact with regard to the operation of the Act in Scotland that whether it be for good or bad the general feeling of the people of Scotland is in favour of continuing it, and that it would be impossible to repeal it without creating such excitement in Scotland as this House would never face. To my mind this fact does away with all the argument about the number of gallons of whisky consumed in Scotland as compared with the consumption in Ire-

land. We have before us the fact that the Act has been in operation for such a length of time in Scotland, and that no one as yet has ever ventured to propose its repeal. Why, then, should we not try it in Ireland? If there are difficulties as regards the great towns in that country, I hope they may be got over as they have been in Scotland, and if there are none, then we shall not have them to encounter. For these reasons, then, it is my intention to support the Motion of the hon. Member for Londonderry.

SIR MICHAEL HICKS-BEACH: It was impossible to listen without respect and attention to the arguments of the hon. Member for Londonderry (Mr. R. Smyth) in support of a Motion which has been backed by no small amount of popular opinion among those who, acting from motives of philanthropy, are endeavouring to promote the cause of temperance in Ireland. I fear, however, that in the Motion before the House we only have another example of how impracticable these ideas sometimes are, for if this proposal were to be put into practice in Ireland, I believe it would be found utterly inefficient to secure the objects in view—that it would create evils far worse than those which at present exist, and that it would be the cause of a very great amount of inconvenience and discomfort to a very large proportion of the population. I think it is to be regretted that we have the proposal of the hon. Member for Londonderry put before us in the inconvenient shape of a Motion on going into Committee of Supply rather than in that of a Bill. It is, as it now stands, an abstract Motion. The hon. Member has not been able to show the House in what way he would carry it out, and I should be out of order in referring to the provisions of a Bill upon the same subject which he has introduced, and has very lately withdrawn. I certainly wish that instead of proposing a mere Resolution the hon. Gentleman had endeavoured to find a day, which surely might have been possible at this period of the Session, on which he might have brought his scheme before the House in a proper shape. I will now lay before the House, as shortly as possible, the arguments which appear to be conclusive against the acceptance of the Motion. As far as I could gather from

the hon. Member for Londonderry's speech, he supported his Motion mainly on two grounds—first, that beer and whisky were two entirely different things, and secondly, that legislation with regard to Sunday closing in Scotland had been successful. I will take the second argument first. I must say that I do not think the hon. Member for Londonderry gave sufficient weight to the difference between the circumstances and feelings of Scotland and Ireland. It has been urged that the Sunday Closing Act in Scotland has been a decided success. I do not wish to enter into that question to-night; but I believe there can be no doubt that there is on Sunday, in spite of that Act, no inconsiderable amount of drinking in Scotland. And when we are told that the consumption of spirits in Scotland has considerably decreased since 1852, I would mention to those who urge this as an argument in favour of a Sunday Closing Bill that the reason for the decrease in the consumption of spirits is to be found not so much in the increased sobriety of the people as in the fact that the duty on spirits has been quadrupled. But I think I can give the House one little fact that will prove the difference between Scotland and Ireland in this matter. I read the evidence which the hon. Member for Edinburgh (Mr. McLaren) gave some years ago before a Select Committee on the Sunday closing question with regard to England; and the hon. Gentleman there stated that when the agitation for Sunday closing was first started in the city which he represents, there were out of 974 public-houses in Edinburgh, only 490 that were opened on Sundays. Well, but what is the case with regard to Ireland? The six-day licences have been fairly tried there, and I think that no one will assert that they have met with any amount of public support, or that any considerable number of these licences have been taken out. We have then these two facts, that without any law and purely on account of the Scotch feeling in favour of a rigid observance of the Sabbath, more than half the total number of public-houses in Edinburgh were closed on Sundays, while Sunday closing in Ireland, although supported by law, finds no favour with those who keep public-houses, and of course does not find favour with those who frequent them. The proposal before the House has also been supported

by evidence adduced as to the popular feeling in Ireland in its favour. If the House will consider what has passed in this country within the last 10 or 20 years, I think it will be of opinion that a popular feeling is not always a safe guide in questions of this kind, and that, at any rate, of all the unsafe guides we can trust to, popular feeling—before it is thoroughly awakened—is about the most unsafe. Some years before I had the honour of occupying a seat in this House, a measure was passed—I think in the year 1854—which shortened the hours of the sale of liquors on Sunday in this country. Those who remember that time will also remember the agitation which ensued when the law came to be put in force. The Bill was carried almost unanimously through Parliament, and it was supposed to have been generally supported by the popular feeling of the country; but no sooner was it enforced than such an agitation was created against it that Parliament had to repeal it in the following Session. Let us take another example in the case of the Permissive Bill. It is not so many years ago that the Permissive Bill was in so promising a position in the then House of Commons, that, I believe, it even arrived at the barren honour of a second reading, while it certainly did seem to have a considerable amount of popular support in the country, and a fair chance of becoming law. But what, let me ask, is its position now? The real fact is that with regard to measures like the Permissive Bill, or the Sunday Closing Bill, there are a number of active philanthropists in the country who can always raise a considerable agitation in favour of their projects, but they in reality form what is, after all, an inconsiderable portion of the population; and the remaining part of the community, being as it were asleep at the time, and hardly aware that such measures are discussed, do not realize what is being done, and only arouse themselves when there is really a prospect of their being made law, or when they are actually enforced. I will venture to say that so far as any expression of popular feeling is concerned, we have nothing before us that will safely guide the House; and I may remind the House when Petitions in favour of the present proposal are spoken of, that during one Session of Parliament

Petitions were presented with no fewer than 1,000,000 signatures, from persons in England, in favour of a Sunday Closing Bill for England and Wales. But I have another argument to urge. I would ask the House what is the history of past legislation, or attempted legislation, on this matter with regard to Ireland? I have taken some trouble to inquire into what was the state of the law before the time referred to by the hon. Member opposite—namely, the year 1832. I find that in an Act passed in 1807 no sale of spirituous liquors by retail was allowed between 12 o'clock on Saturday night and 12 o'clock on Sunday night, nor of wine, beer, ale, porter, cider, or perry, on Sundays before 2 p.m., except to travellers. But in the following year came a Sunday Closing Act, or something like it, for in 1808 I find that those who entertained persons in public-houses at any time whatever on Sundays were liable to a fine of 40s., and of £5 on a second conviction. But this Sunday Closing Act was a dead letter, and in 1815 it was repealed, and the old Act of 1807 re-enacted, under which houses were opened in Ireland for drinking anything but spirituous liquors, except with regard to inmates or travellers, who were to drink anything they chose. This state of the law, as far as I can discover, remained until 1833, and I have no doubt, although I am not able to trace the reasons which induced Parliament to pass the Act of 1833, that the manner in which public-houses were regulated at that time was so bad that the Act of 1833, by which the hours of opening on Sundays were fixed from 2 in the afternoon till 11 at night, was not passed as an Act which opened houses that had before been closed, but rather as an Act to regulate the hours of sale. Well, Sir, what has happened since? Why, in 1868 the hon. and gallant Member for the county of Longford (Major O'Reilly), than whom no one is more thoroughly acquainted with the details of the question—being himself in favour of Sunday closing, introduced a Bill for closing public-houses on Sunday, except for drinking off the premises. That Bill was referred to a Select Committee, on which sat such ardent Friends of Sunday closing as Lord Claud Hamilton, and Mr. Pim, and a nobleman whose authority all will respect—the late Lord Mayo.

*Sir Michael Hicks-Beach*

The Bill which emerged from that Committee was not a Sunday Closing Bill, but proposed the hours of from 2 till 7 in the country, and from 2 till 9 in towns. These facts are strong as regards past legislation or proposed legislation, against the proposal of the hon. Member for Londonderry. But it has been said that because Sunday closing had been voluntarily adopted in certain dioceses in the South of Ireland—in the dioceses of Cashel, Ferns, and Kilmore—therefore a compulsory law ought to be extended to the whole of Ireland. I know of no more fallacious argument than that. The parish priests and the Bishops of those dioceses have the greatest spiritual influence over their flocks. They have exercised that influence in the cause of temperance, and all honour to them for so doing. They have persuaded the publicans throughout those dioceses to adopt a voluntary closing Act; but it is precisely because this was adopted voluntarily that it succeeded. But why has not this movement been further extended? In one of those dioceses Sunday closing has prevailed for 15 years, and in another for 12, and yet the principle has not been extended to other dioceses that are equally Roman Catholic in population, and equally under the influence of the priests. I think the answer is this—that those dioceses mainly consist, if not entirely, of country districts, and that the great difficulty in this matter arises when you come to deal with the large town populations; and if you pass a compulsory law for the country and not for towns you will find another difficulty—namely, that of deciding on what is country and what is town. Probably there are no places to which it would be more hard or more unfair to apply such an Act than those to which people go from England, as well as from different parts of Ireland, for the sake of beautiful scenery or fresh air. Those are places where the application of a Sunday Closing Act would cause great and unnecessary inconvenience. And why should not people in Ireland have the facility which the law now gives them of obtaining moderate refreshment in public-houses on the Sunday afternoons? Is it because they drink whisky and not beer that they are to be debarred from indulging in a glass on a Sunday? It



appears to me that this measure must be looked upon as one which has reference not merely to Ireland. The hon. Member for Londonderry says that his proposal simply applies to Ireland, and that it has secured a very large amount of support from the most important public opinion of that country. I have endeavoured to show the House of how much value the support of public opinion has proved in the case of other measures of this nature; but this measure, although only intended to be applied to Ireland, contains principles which I hope will not be adopted by this House, either with reference to Ireland or England; because it embodies within itself an unnecessary amount of interference with the general public convenience, which will make the law to be regarded as so unfair and irksome as almost certainly to secure its evasion. The hon. Member for Roscommon (The O'Connor Don) has told us that restriction was already in force, and that, in fact, it was necessary for the liquor trade. I do not oppose restriction; but what I say is that restriction cannot go beyond certain bounds, and it is no more an argument in favour of total Sunday closing that you have already limited the hours of closing within the narrowest limits consistent with the public convenience, than it would be to say that because you regulate public-houses to a certain extent therefore you should close them altogether. Of course there will be in Ireland, as well as in Scotland, or anywhere else, a certain number of people who will get drunk whatever the law may be, and those persons would, if this measure were passed, go to unlicensed houses, where they would be less under the supervision of the police or under no supervision at all, and therefore the results would probably be worse to the morals and sobriety of the people than at present. I hope that the House in considering this question will not look upon it merely as an Irish matter. I trust neither the hon. Member for Londonderry nor others who come from that country will wish to deny to English Members that right which we all possess, of considering to the best of our power any measure that is brought before the House. Any proposal on this subject must be dealt with by the votes of the whole of the British Par-

liament, according to the arguments that may be laid before them. I have listened very attentively to the speech of the hon. Member for Londonderry, and to the debate that has taken place; but, so far, I do not see that any reasons have been given why Sunday closing should be successful in Ireland because it may be popular in Scotland, or why we should impose upon Ireland a measure of restriction which we should necessarily oppose if it were proposed in this country.

MR. DICKSON: I rise to support the Motion of the hon. Member for Londonderry (Mr. R. Smyth). The unanimity which exists in Ireland on this question shows that there is no matter which is more important to the peace and welfare of the country. I have some experience as a magistrate of the degradation, and misery, and crime attendant upon Sunday drinking in Ireland, and I know how, in the great majority of cases amongst working men, they, instead of being at their work on Monday morning, stay away in consequence of having been drinking on the previous day. Were it not for the facilities for drinking which are supplied by the public-houses keeping open during the idle hours of Sunday, those men who stay away from their work on Monday would be ready and willing to go to it. The aim of the Motion is simply to aid in abating an evil which overshadows the land and has spread throughout every district in Ireland. The measure comes before the House with, I may say, almost the unanimous support of Irish Members and of the Irish people, backed by all the religious denominations throughout the country, which have long looked forward with great anxiety to its success and to the blow it will give to the vice of drunkenness that has existed, and still exists, over the country. In urging hon. Members to pass the Motion, we say—"We only ask for Ireland what you have done for Scotland." I trust the House, considering the position Ireland occupies, will extend to her what it has already conferred upon Scotland. I am sure that the passing of this measure would cause a diminution in the number of habitual drunkards, by depriving them of the facilities they would have for obtaining drink on Sunday. Respectable working men would rejoice at the Legislature removing from their

paths the temptation to drink on Sundays, because I believe that in Ireland drinking is circumstantial; that it takes place more for the love of company than the love of drink. Then there is another important aspect of this question, which should not be overlooked in these days of agitation for shortening the hours of labour. When we think of the 30,000 young men and women employed in public-houses occupied at work seven hours on Sunday, having been engaged already during the week 90 hours, we must come to the conclusion that they ought to have the opportunity of enjoying the Sunday. I will just read to the House what their opinions are. These persons have presented a Memorial to the House, in which they represent that the grievance they endured, and state that the time is now ripe for a change in the law, and hope that total Sunday closing will be established. It has been urged as an argument against closing public-houses on Sundays, that it would increase the illicit sale of drink, and the hon. Member for Dundalk (Mr. Callan) has taken that view; but against that we have the testimony of the Roman Catholic Archbishop of Ireland, who has very clearly shown that such would not be the case. I will only now say that I hope the House will extend to Ireland what it has already extended to Scotland.

MR. CONOLLY: I regret very much, Sir, that the Government have chosen to oppose this most reasonable request; because it places me and other most faithful friends of the Government in a most difficult position, as we have to choose between being unfaithful to our Leaders or unfaithful to our constituents. Now, that is a very awkward position to be placed in. If I have not any choice—if I am driven into that position by the action of the Government, I have no hesitation in the line which I shall adopt; I shall be true to my constituents. But I am not satisfied with the line the Government have taken in this matter upon the argument which we have heard. The right hon. Gentleman the Chief Secretary to the Lord Lieutenant has addressed himself with great care to the question, but with all his care he has shown he was advocating a very bad case. I will with great brevity, considering the late hour, point out where the right hon. Gentleman seems

to me to have failed. First of all, he says that all classes in Ireland do not ask and are opposed to asking for what means, in principle, total closing on Sundays. Then we say that we give a man six days in the week during which he can have as much drink as he likes, and it is but a small sacrifice he would have to make, and but little to ask for—that with regard to which all classes are agreed—namely, that the Sunday should have an immunity from the liquor traffic. Well, Sir, the right hon. Gentleman has failed here. Then in the parallel which he has drawn between this popular request and the Permissive Bill, I say he has utterly failed. I, for one, always opposed the Permissive Bill; but I am strongly in favour of the modest request now before the House. If there ever was a measure which was suited to the genius of Ireland, that is the measure now before the House. It is asked for by all religious bodies in the country, much to their credit, following in that respect the sainted track of the Rev. Theobald Mathew. Father Mathew, by his unaided exertions, brought about the first step in the direction of putting an end to the vice of drunkenness in Ireland, and everybody who knew Ireland before the preaching of the Rev. Theobald Mathew will know that that man, and that man alone, put a complete stop at the time to the vice of drunkenness in Ireland. Well, Sir, if that can be done by the preaching of one humble priest in Ireland, I shall not be told, that which is agreed on on all sides in Ireland ought not to have a fair trial. I think the Government have come to a very precipitate determination on this subject, and I do not think it is graceful in them to drive their best friends away from them. Whatever shall be the result, I shall be true to my constituency, though it makes me untrue to my Leaders, which I much regret.

MR. O'GORMAN: After the admirable speech which has been pronounced by the right hon. Baronet the Chief Secretary for Ireland, I must say that the wind is completely taken out of my sails. I oppose this Resolution absolutely, in the most downright way, and for this reason, that it is nothing more nor less—if, for instance, a Bill to its effect were passed—than the perpetuating of that which has been for many centuries the bane of Ireland—namely,

the making of one law for the rich and another for the poor. It is contended by everyone who has spoken upon this subject that gentlemen who belong to clubs in Ireland or England have the most perfect privilege of frequenting those places on Sundays, and drinking whatever they think proper; while at the same moment, according to the provisions of this Act—[*Laughter*—well, of this Motion if it were put into an Act—a poor man is entirely prevented from having one single drop of liquor on that day. If this Bill is passed, a poor man who walks out for a few miles with his family on Sunday—perhaps on a very hot Sunday, perhaps on a very wet day—after having done six hard days' work, is absolutely prevented by this law, or would be if it were a law, from having one single quart of beer or a drop of whisky. Sir, I shall oppose this to the last. And why do I do so? Because I shall always oppose everything unjust. I do not care for its expediency. I place that altogether out of my view when justice is to be done, and this is one of those cases in which I say, let the heavens fall, but let not an atom of injustice be done to Ireland. Those are the reasons which influence me, Sir, in voting as I shall do to-night. Now, Sir, it has been stated that one of the chief items in the strength, or that the great strength of this Resolution lies in the fact that the Archbishop of Cashel and the Bishop of Ferns have prevailed upon their people to abstain from liquor on Sundays. I consider, Sir, that that is the very weakest point in the whole of their argument, and I will prove it. These pastors of the people have, by their zeal, piety, and exemplary lives, prevailed upon their people without an Act of Parliament to cease from drinking intoxicating liquors on Sundays. That may be and is all very well: but if you pass an Act of Parliament in this House preventing people from having liquor on Sundays—*pari passu* with these illustrious prelates—that Act will not only be without force in Ireland, but that which has already been done by the gentle counsel and example of these illustrious priests will cease to have effect; and not only the people in those portions of Ireland which have not yet been brought over by the pressure of the Bishops will rebel against the Act, but also those in that portion

which observes the Sunday closing principle will rebel against the gentle pressure put upon them by the Bishops, simply because of the coercive character of the Act. Under these circumstances, I shall oppose this Bill to the last as a piece of injustice, and as tending to establish one law for the rich and another for the poor.

Question put.

The House divided :—Ayes 201 ; Noes 110 : Majority 91.

Main Question proposed.

Original Motion, by leave, *withdrawn*.

Committee *deferred till Monday next*.

#### CRYSTAL PALACE (SPIRITUOUS LIQUORS LICENCE).

##### MOTION FOR PAPERS.

SIR WILFRID LAWSON moved  
for—

“A Copy of the Justices' Certificate upon which the Inland Revenue Department has issued a Licence to the Directors of the Crystal Palace for the sale of spirituous liquors, contrary to the express provisions of the 13th section of the Crystal Palace Company's Act.”

The hon. Baronet explained that the Directors of the Crystal Palace Company had applied for a spirit licence in addition to a wine and beer licence, but the magistrates declined to accede to their request, and only granted a certificate for wine and beer. Nevertheless, the Inland Revenue Department—contrary, he believed, to law—had granted a spirit licence in addition to one for wine and beer. The Motion which he now made was for the production of the certificate. He wanted to have the matter put right, and to ascertain whether the proceeding was without the authority of the Company's Act of Parliament. He had had to fight for the same sort of thing before in his own county. He told the Revenue officers at the time that they were acting contrary to the law, and he had to contend against the magistrates, the magistrates' clerk, the police, and the excise. Ultimately he beat them all, and succeeded in getting the man fined because he had obtained a licence contrary to law. In this case he believed that the Crystal Palace Company had obtained a licence contrary to law, and he did not see why they should be allowed to retain it simply because they were a great company. He thought

that no one should be allowed to break the law with impunity.

Motion made, and Question proposed,

"That there be laid before this House, a Copy of the Justices' Certificate upon which the Inland Revenue Department has issued a Licence to the Directors of the Crystal Palace for the sale of spirituous liquors, contrary to the express provision of the 13th section of the Crystal Palace Company's Act."—(*Sir Wilfrid Lawson.*)

MR. ASSHETON CROSS said, he was afraid he was unable to comply with the Motion of the hon. Baronet in the precise terms in which it stood upon the Paper. Yet he did not rise altogether for the purpose of opposing the Motion of the hon. Baronet. His only reason for raising an objection was this—that as the Motion stood upon the Paper it assumed that of which the House knew nothing, and of which it could know nothing—namely, that the Justices had acted contrary to the express provisions of an Act of Parliament. That was an argumentative statement contained in the Motion which it was hardly right to call upon the House to adopt. It assumed that which he thought the House had no right to assume, that the Justices, acting in their official capacity, had acted in direct contravention of the provisions of an Act of Parliament. The hon. Baronet said in his Motion, as it appeared on the Paper, that the Justices had granted a certificate contrary to the express provisions of the 13th section of the Crystal Palace Company's Act.

SIR WILFRID LAWSON apologized for interrupting the right hon. Gentleman, but thought it might perhaps facilitate matters if he were to say that the officers of Excise were the persons who had broken the law, and not the Justices.

MR. ASSHETON CROSS said, that was not the effect of the Motion which the hon. Baronet had placed upon the Paper. As to the 13th section of the Crystal Palace Company's Act, he was instructed that it was simply this:—"The expenses of this Act incidental thereto shall be borne by the Company." He evidently could not see what that had to do with the question which the hon. Baronet had raised. Therefore, he did object to the last words of the Motion, "contrary to the express provision of the 13th section of the Crystal Palace Company's Act;" but he had not the

slightest objection to lay upon the Table a copy of the Justices' certificate.

Amendment proposed, to leave out from the word "liquors," to the end of the Question."—(*Mr. Secretary Cross.*)

SIR WILFRID LAWSON said, he was much obliged to the right hon. Gentleman for allowing him to have the Return he had moved for. He was quite willing to omit from the Motion the words to which the right hon. Gentleman had objected. His main object was simply to obtain a copy of the certificate. He did not blame the magistrates; but he certainly did object to the course which the officers of the Inland Revenue Department had taken. What the magistrates did was this: They gave the licence, and they said, "You can have your licence for beer and wine, but you are not to have it for spirits or anything contrary to the Act of Parliament." Yet, in spite of that, the officers of the Inland Revenue Department gave them a licence for spirits; therefore, the right hon. Gentleman would see that he did not blame the magistrates in the slightest degree. He had no objection, however, to leave out of the Motion the words to which the right hon. Gentleman objected.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived*.

Main Question, as amended, put, and *agreed to*.

*Ordered*, That there be laid before this House, a Copy of the Justices' Certificate upon which the Inland Revenue Department has issued a Licence to the Directors of the Crystal Palace for the sale of spirituous liquors.

#### TICHBORNE PROSECUTION.

##### MOTION FOR A RETURN.

MR. WHALLEY moved for a Return—

"of the sum expended in relation to the Tichborne Prosecution and all proceedings arising out of and connected therewith or resulting therefrom, and in such Return to specify the amount paid to each witness examined, and also to such persons as were subpoenaed to attend as witnesses, but were not called upon to give evidence."

The reason, he said, why he did so was that it came to his knowledge that a considerable number of witnesses were kept in London to whom large sums of money were paid, and were sent back

*Sir Wilfrid Lawson*

without being examined. He could not properly call attention to the manner in which the prosecution was conducted unless he had the names of persons who came from a great distance, some from Ireland and elsewhere. He brought the subject under the notice of the Treasury, but it was of no use; and he might state that if any objection were made to the present Return he would take it in any form.

Motion made, and Question proposed,

"That there be laid before this House, a Return of the sum expended in relation to the Tichborne Prosecution and all proceedings arising out of and connected therewith or resulting therefrom, and in such Return to specify the amount paid to each witness examined, and also to such persons as were subpoenaed to attend as witnesses, but were not called upon to give evidence."—(*Mr. Whalley.*)

MR. W. H. SMITH regretted that he was not able to comply with the terms of the Motion. It was contrary to all precedent and to public policy to give the names of the witnesses; but he was prepared to give him information with regard to the amounts paid for counsels' fees, to witnesses, to law

stationers, and to shorthand writers. The total cost was £55,315 17s. 1d. The amount of counsels' fees was £23,642, of which £1,146 was paid in 1872-3, and £22,495 in 1873-4; the witnesses were paid in 1872-3 £823, in 1873-4 £8,839—total, £9,662. The shorthand writers had received £3,493; the jury, £3,780; law stationers and printing, £9,237. Of the whole costs £49,815 had been paid; the estimated amount of expenditure unpaid was, for Australian and Chili witnesses £4,000; other witnesses, agents, printing, &c., £1,500—total yet to pay, £5,500; making the total costs what he had stated £55,315 17s. 1d. If the hon. Gentleman would withdraw his Motion he would lay the whole particulars on the Table of the House.

MR. WHALLEY said, he would withdraw his Motion and take any Return the hon. Gentleman would give him.

Motion, by leave, *withdrawn*.

House adjourned at One o'clock  
till Monday next





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TO

## HANSARD'S PARLIAMENTARY DEBATES,

### VOLUME CCXVIII.

FIRST VOLUME OF SESSION 1874.

#### EXPLANATION OF THE ABBREVIATIONS.

In Bills, Read 1<sup>o</sup>, 2<sup>o</sup>, 3<sup>o</sup>, or 1<sup>a</sup>, 2<sup>a</sup>, 3<sup>a</sup>, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—*R. P.*, Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*L.*, Lords.—*C.*, Commons.

When in this Index a \* is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus \*, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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Amendt. on Committee of Supply April 27, To leave out from "That," and add "this House is of opinion that, in the interests of civilization and commerce, it would not now be desirable to withdraw from the administration of the affairs of the Gold Coast" (Mr. Hanbury) v., 1204; Question proposed, "That the words, &c.;" Moved, "That the Debate be now adjourned" (Mr. Arthur Mills); after short debate, Motion agreed to; Debate adjourned

Observations, Mr. Disraeli April 28, 1336

Order read for resuming Adjourned Debate April 29; Amendt. withdrawn, without debate, 1391

Orders of the Day postponed May 4

Moved, "That this House is of opinion that, in the interests of civilization and commerce, it would not now be desirable to withdraw from the administration of the affairs of the Gold Coast" (Mr. Hanbury), 1892

Amendt. to leave out from "commerce" and add "it is desirable to withdraw from all equivocal and entangling engagements with the tribes inhabiting the Gold Coast" (Sir Wilfrid Lawson), 1603; Question proposed, "That the words, &c.;" after long debate, Moved, "That the Debate be now adjourned" (Sir Rainald Knightley); Question put; A. 311, N. 75; M. 236; Debate adjourned

**Agricultural Labourers Dwellings (Ireland) Bill**

(Mr. Bruen, Viscount Crichton, Mr. Kavanagh)

c. Ordered; read 1<sup>o</sup> April 17 [Bill 73]

**Agricultural Labourers' Strike**

Question, Sir Charles W. Dilke; Answer, Mr. Assheton Cross April 30, 1407

**Agricultural Statistics**

Question, Mr. Heygate; Answer, Sir Charles Adderley April 30, 1411

**AIRLIE, Earl of**

Railway Companies, Res. 1904

**ALEXANDER, Colonel C., Ayrshire, S.**

Army Estimates—Land Forces, 467

Game Laws (Scotland), 2R. Amendt. 1370

Mutiny, Comm. cl. 107, 703

**Allotments Extension Bill**

(Sir Charles W. Dilke, Mr. Edward Jenkins, Mr. Burt)

c. Ordered; read 1<sup>o</sup> April 22 [Bill 79]

**Ancient Monuments Bill**

(Sir John Lubbock, Mr. Russell Gurney, Mr. Beresford Hope, Sir William Stirling Maxwell, Mr. Osborne Morgan)

c. Ordered; read 1<sup>o</sup> Mar 20 [Bill 1]  
Moved, "That the Bill be now read 2<sup>o</sup>" April 15, 574

Amendt. to leave out "now," and add "upon this day six months" (Mr. Bentinck); after debate, Question put, "That 'now,' &c.;" A. 94, N. 147; M. 53

Main Question, as amended, put, and agreed to; 2R. put off for six months

**ANDERSON, Mr. G., Glasgow**

Betting, 2R. 595, 606; Comm. 944

Conjugal Rights (Scotland) Act Amendment, 2R. 978

Criminal Law—Fenian Prisoners, 347

Foreign Affairs—Diplomatic Relations with Mexico, 1838

Metropolis—Dwellings of Working People, Res. 1980

Ocean Highways, 335

Parliament—New Writs, Issue of, 1845

Parliament—Privilege, Motion for New Writs, 1262; Res. 1488

Parliamentary Elections (Polling), 2R. 295

Supply—British Embassy Houses, &c. 1145

West African Settlements, Res. 1663

**ANSTRUTHER, Sir R., Fifeshire**

Turnpike Trusts (Scotland)—Returns, 813

**ANSTRUTHER, Sir Windham C., Lanarkshire, S.**

Education (Scotland) Act—Building Grants, 632, 634

Public Health (Scotland) Act—County Constables, 346, 990

**ANTROBUS, Sir E., Wilton**  
Ancient Monuments, 2R. 587

**Apothecaries Act Amendment Bill**  
(*Sir John Lubbock, Mr. Lyon Playfair, Mr. Plunket*)

c. Ordered; read 1<sup>o</sup> April 16 [Bill 71]

**Archbishops and Bishops (Appointment and Consecration) Bill**  
(*Mr. Monk, Mr. Dickinson*)

c. Motion for Leave (*Mr. Monk*) Mar 30, 478; after short debate, Motion agreed to: Bill ordered; read 1<sup>o</sup> [Bill 56]

**ARGYLL, Duke of**  
India—Bengal Famine, Address for Papers, 1063, 1093

# ARMY

*Cavalry Horses*, Question, Colonel Egerton Leigh; Answer, Mr. Stanley May 7, 1834

*Colonels, Supersession of—Royal and Indian Army*, Question, General Shute; Answer, Mr. Gathorne Hardy April 16, 626

*Defence Act, The—Wormwood Scrubs*, Questions, Sir Charles W. Dilke; Answers, Mr. Gathorne Hardy Mar 23, 230; Question, Sir Charles W. Dilke; Answer, Colonel Hogg April 16, 629

*Galway, New Barracks at*, Question, Mr. Morris; Answer, Mr. Gathorne Hardy Mar 24, 267

*Kilmainham Hospital—Catholic Inmates*, Question, Mr. Owen Lewis; Answer, Sir Michael Hicks-Beach Mar 31, 493; Question, Mr. Owen Lewis; Answer, Mr. Gathorne Hardy April 13, 494

*Knightbridge Barracks, Removal of*, Question, Mr. Forsyth; Answer, Mr. Gathorne Hardy April 21, 926

*Landguard Fort—Artillery Practice*, Question, Colonel Jervis; Answer, Mr. Gathorne Hardy April 23, 983

*Medical Officers*, Question, Mr. Herbert; Answer, Mr. Gathorne Hardy April 21, 927; April 27, 1176

*Outrage in Weymouth Barracks*, Question, Mr. Hayter; Answer, Mr. Gathorne Hardy April 27, 1176

*Purchase Officers Commission—The Report*, Question, Mr. Goddard; Answer, Mr. Hunt April 17, 715

*Sandhurst—Royal Military College—Sub-Lieutenants*, Question, Captain Dawson Damer; Answer, Mr. Gathorne Hardy Mar 23, 232

*Staff Appointments—Queen's Regulations*, Question, Captain Nolan; Answer, Mr. Gathorne Hardy April 16, 630; April 21, 925

*Wormwood Scrubs, Military Prison at*, Question, Mr. Forsyth; Answer, Mr. Gathorne Hardy April 21, 927

# Army—Auxiliary Forces

*Adjutants*, Question, Mr. Wait; Answer, Mr. Gathorne Hardy Mar 24, 265

*Easter Monday Review*, Question, Mr. Hayter; Answer, Lord Eustace Cecil Mar 26, 339

*Militia, Adjutants of—Pensions to Widows*, Question, Mr. Naghten; Answer, Mr. Gathorne Hardy April 20, 815

*Militia Fines*, Question, Mr. Naghten; Answer, Mr. Gathorne Hardy Mar 27, 349

*Yeomanry Permanent Staff, The*, Question, Mr. Hanbury; Answer, Mr. Gathorne Hardy Mar 23, 233

# Army—The Auxiliary Forces—Militia Recruiting

Moved, "That an humble Address be presented to Her Majesty for, Return by Regiments of Militia—(1.) Of enrolled strength on 1st May 1873: (2.) Of numbers required to complete establishments on 1st May 1873: (3.) Of numbers present at trainings during 1873: (4.) Of the number of volunteers who have enlisted during (1) February and March 1873, (2) February and March 1873, and (3) February and March 1874; also of the number who have re-enrolled during the same periods" (*The Earl of Limerick*) Mar 23, 223; after short debate, Motion agreed to

# Army—The Army Reserves

Amend. on Committee of Supply April 13, To leave out from "That," and add "in the opinion of this House, the Reserves for the defence of this Country should be formed of men who have passed through the ranks of the regular Army" (*Major Beaumont*) v., 496; Question proposed, "That the words, &c.;" after debate, Amend. withdrawn

# Ashantee War—Vote of Thanks to the Forces

## LOARDS—

Moved, "That the Vote of Thanks to the Forces engaged on the West Coast of Africa take precedence" (*The Lord President*) Mar 30, 380; Motion agreed to

Resolutions moved (*The Duke of Richmond*); and, after debate, agreed to

Ordered, That the Lord Chancellor do communicate the said Resolutions to Major General Sir Garnet J. Wolseley, &c.

The Lord Chancellor acquainted the House, That he had received a Letter from Major General Sir Garnet J. Wolseley, K.C.B., G.C.M.G., in return to the Thanks of this House and to the Resolutions of the 30th ultimo, communicated to him in obedience to an Order of this House of the said date: The said letter being read was ordered to lie on the Table, and to be entered on the Journals April 14, 540

## COMMONS—

Resolutions moved (*Mr. Disraeli*); and, after debate, put, and agreed to Mar 30, 412

Ordered, That Mr. Speaker do communicate the said Resolutions to Major General Sir Garnet J. Wolseley, &c.

**Ashantee War—Vote of Thanks to the Forces—**  
**cont.**

Mr. Speaker acquainted the House, that he had received a Letter from Major General Sir Garnet J. Wolsley, dated the 2nd day of this instant April, acknowledging the Thanks of this House to himself and other Officers for the success attending the Expedition to Ashantee; Letter read *April 13, 495*

*Captain Glover*, Question, Mr. Knatchbull-Hugessen; Answer, Mr. Disraeli *April 23, 986*

*Honours to Officers*, Question, Captain Price; Answer, Mr. Hunt *April 17, 713*

*Pay of Officers on the Gold Coast*, Question, Mr. Sackville; Answer, Mr. Gathorne Hardy *April 23, 989*

*The Garrison at Prahsu*, Question, Mr. W. Johnston; Answer, Mr. Stanley *May 7, 1841*

*Warlike Stores, Detention of*, Question, Mr. Edward Jenkins; Answer, Mr. Hunt *Mar 31, 486*

*War Medals*, Question, Colonel Barttelot; Answer, Mr. Gathorne Hardy *April 20, 812*

**ASSHETON, Mr. R., Clitheroe**  
Supply—Ashantee Expedition, 205

**ATTORNEY GENERAL, The (Sir J. B. Karslake), Huntingdon**  
Judicature Act, 1873, 924  
Juries, 2R. 974  
Married Women's Property Act (1870) Amendment, 2R. 613  
Parliament—New Writ—Borough of Stroud, 1938

**Attorneys and Solicitors Bill [H.L.]**  
(*The Lord Chelmsford*)

l. Presented; read 1<sup>o</sup> *Mar 23* (No. 6)

**Australia, Western—Emigration**  
Question, Alderman Sir James Lawrence; Answer, Mr. J. Lowther *April 30, 1411*

**BACKHOUSE, Mr. E., Darlington**  
Ways and Means, Report, 1185

**BAGGALLAY, Sir R. (see SOLICITOR GENERAL, The)**

**BALFOUR, General Sir G., Kincardineshire**  
Army Estimates—Control Establishments—Wages, &c. 533  
Land Forces, 475  
Militia Pay and Allowances, 539  
Warlike and other Stores, 533  
Army Reserves, Res. 502, 512  
East India Annuity Funds, 2R. 538  
East India Loan, Comm. Res. 188; Report, 208, 249; 3R. 356  
Game Laws (Scotland), 2R. 1386  
India—Bengal Famine, Res. 940  
Navy Estimates—Freight of Ships, &c. 1902  
Straits Settlements, 1588

**BALFOUR, General Sir G.—cont.**

Supply—New Home and Colonial Offices, 1138  
Revenue Departments, 194  
Surveys of the United Kingdom, 1140  
Ways and Means—Gun Licence Act, 1082  
Report, 1188

**BALL, Right Hon. J. T. (Attorney General for Ireland), Dublin University**

Canada, Dominion of, 1496  
Controverted Elections (Ireland)—Mr. Justice Lawson, Res. 1888  
Judicature Act—Irish Appeals, 1495, 1676  
Married Women's Property Act (1870) Amendment, 2R. 613  
Municipal Privileges (Ireland), Comm. 1343  
Parliament—New Writ—Borough of Stroud, 1940  
Peace Preservation (Ireland) Act—"Flag of Ireland" Newspaper, 1557  
Ulster Tenant Right, Leave, 1705

**Ballot Act**

Observations, Sir Charles W. Dilke; short debate thereon *Mar 27, 361*

**BANDON, Earl of**  
Railways, Ireland—Guarantees from County Rates, 1404

**Bank Holidays**

*Customs Department, The*, Question, Mr. Ritchie; Answer, The Chancellor of the Exchequer *Mar 20, 108; May 4, 1586*  
*Post Office—Money Order Department*, Question, Mr. Wheelhouse; Answer, The Chancellor of the Exchequer *Mar 24, 288*

**BARCLAY, Mr. J. W., Forfarshire**  
Contagious Diseases (Animals) Act, 936  
Game Laws (Scotland), 2R. 1377  
Scotland—Census Returns, 267  
Hypothec, &c. 266  
Supply—Board of Trade, 768  
Ways and Means—Financial Statement, Res. 3, 696  
Gun Licence Act, Amendt. 1061

**Barristers (Ireland) Bill**

(*Mr. Callan, Mr. McCarthy Downing, Mr. O'Shaughnessy, Sir John Gray*)

c. Ordered; read 1<sup>o</sup> *April 17* [Bill 74]

**BARTTELOT, Colonel W. B., Sussex, W.**  
Army—Ashantee Expedition—War Medals, 812  
Army Estimates—Land Forces, 458  
Military Law, Administration of, 526  
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Irish Railways, Acquisition and Control of, Res. 1301  
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Supply—House of Lords, Offices of the, 761  
Ways and Means—Financial Statement, Res. 3, 696



**BASS, Mr. M. T., *Derby Bo.***

Imprisonment for Debt, 2R. 545, 573, 816  
Railway Servants, Accidents to—Legislation, 714  
Ways and Means—Financial Statement, Res. 1, 672

**BATES, Mr. E., *Plymouth***

Navy—Naval Reserve, 758

**BATH, Marquess of**

Public Worship Regulation, 2R. Motion for Adjournment, 1148  
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**BATH AND WELLS, Bishop of**

Endowed Schools—Combe's School, Crewkerne, Scheme for, Motion for an Address, 1577  
Endowed Schools—Ellsworth's Charity, Scheme for, Motion for an Address, 1570, 1573

**BAZLEY, Sir T., *Manchester***

Factory Acts Amendment, 2R. 1745 ; Amendt. 1770, 1803

**BEACH, Right Hon. Sir M. E. HICKS—  
(Chief Secretary for Ireland), *Gloucestershire, E.***

Army—Kilmainham Hospital, 483  
Compulsory Vaccination Act—Vaccine Lymph, 1590  
Game Birds (Ireland), 2R. 620  
Ireland—Questions, &c.  
Ancient Monuments, Preservation of, 1591  
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Peace Preservation (Ireland) Act, 411 ;—  
"Flag of Ireland" Newspaper, 1550  
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Ireland—Derry Celebrations, Motion for a Return, 488, 491  
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Irish Fisheries, Res. 1517  
Irish Railways, Acquisition and Control of, Res. 1313, 1333  
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Municipal Privileges (Ireland), 2R. 341, 947 ;  
Comm. Amendt. 1342  
Parliament—Address in Answer to the Speech, 153, 156  
Supply—Comptroller and Auditor General of the Exchequer, 775  
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**BEAUCHAMP, Earl (Lord Steward of the Household)**

Endowed Schools—Ellsworth's Charity, 1803  
Middlesex Sessions, 2R. 622

**BEAUCHAMP, Earl—cont.**

Railways, Ireland—Guarantees from County Rates, 1398  
Railways, Queen's Answer to Address, 1392

**BEAUFORT, Duke of**

Endowed Schools, Address to the Queen, 1917

**BEAUMONT, Major F. E. B., *Durham, S.***

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Patent Museum, 715  
Science and Art—National Gallery, 1928  
South Kensington Museum, 482

**BELL, Mr. I. L., *Durham, N.***

Railway Accidents—Royal Commission, Res. 1881

**BELMORE, Earl of**

South Sea Islands, Address for Correspondence, 255

**BENTINCK, Mr. G. A. F. Cavendish  
(Secretary to the Board of Trade),  
*Whitehaven***

Board of Trade (Marine Department), 1687

**BENTINCK, Mr. G. W. P., *Norfolk, W.***

Ancient Monuments, 2R. Amendt. 579  
Merchant Shipping Act—Compulsory Pilotage, 1178  
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Navy—Questions, &c.  
Anchors, Trial of, 484  
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Navy—Unarmoured and Iron-clad Ships, Res. 1873, 1874, 1875  
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Railway Accidents, 710 ;—Royal Commission, Res. 1883

**BERESFORD, Lord Charles W. D., *Waterford Co.***

Intoxicating Liquors in Ireland, Sale of, on a Sunday, Res. 2006

**BERESFORD, Colonel F. M., *Southwark***

Imprisonment for Debt, 2R. 573  
Metropolitan Buildings and Management, 2R. 1350  
Parliamentary Elections (Polling), 2R. 311  
Ways and Means—Gun Licence Act, 1061

**Betting Bill**

(*Mr. Anderson, Sir William Stirling Maxwell, Mr. Stevenson, Mr. M'Lagan*)

- c. Ordered ; read 1<sup>o</sup> Mar 20 [Bill 4]  
Bill read 2<sup>o</sup>, after short debate April 15, 595  
Committee ; Report April 21, 944 [Bill 78]  
Read 3<sup>o</sup> April 28  
l. Read 1<sup>o</sup> (*Earl of Morley*) April 30 (No. 47)  
Read 2<sup>o</sup> May 7, 1807

**BIGGAR, Mr. J. G., *Cavan Co.***

Parliament—Address in Answer to the Speech, 150

**Bills of Sale Act (1854) Amendment Bill**

(*Mr. Lopes, Mr. Watkin Williams, Mr. Charles Lewis*)

c. Ordered; read 1<sup>o</sup> \* Mar 26 [Bill 48]

**Bishop of Calcutta (Leave of Absence)**

Bill [H.L.] (*The Marquess of Salisbury*)

l. Presented; read 1<sup>o</sup> \* April 24 (No. 35)  
Read 2<sup>a</sup> April 30, 1892

**BLACHFORD, Lord**

Colonial Clergy, 1172; 2R. 1804

**BLENNERHASSETT, Mr. R. P., *Kerry***

Irish Railways—Acquisition and Control of, Res. 1263

**Board of Trade Arbitrations, Inquiries, &c. Bill**

(*Sir Charles Adderley, Mr. Cavendish Bentinck*)  
c. Ordered; read 1<sup>o</sup> \* May 1 [Bill 86]

**Board of Trade (Marine Department)**

Moved, "That a Select Committee be appointed to inquire whether any alterations are needed in the constitution or procedure of the Marine Department of the Board of Trade, in consequence of the important changes which have taken place in the Mercantile Marine during the last few years" (*Mr. Eustace Smith*) May 5, 1877; after debate, Motion withdrawn

(*Railway Department*)—*Captain Tyler*, Question, Mr. Goldsmid; Answer, Sir Charles Adderley May 7, 1842

**Borough Franchise (Ireland) Bill**

(*Mr. Bryan, Mr. Butt, Mr. Blennerhassett*)

c. Ordered; read 1<sup>o</sup> \* Mar 23 [Bill 35]

**Boundaries of Archdeaconsries and Rural Deaneries Bill [H.L.]**

(*The Lord Bishop of Exeter*)

l. Presented; read 1<sup>o</sup> \* April 17 (No. 28)

**BOURKE, Hon. R. (Under Secretary of State for Foreign Affairs), *Lynn Regis***

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France—Commercial Treaty, 1872, 541;—British Salt, 1408

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**BOWYER, Sir G., *Wexford Co.***

Judicature Act—Irish and Scotch Appeals, 1581, 1676

Parliament—Address in Answer to the Speech, 168

Parliament—Business of the House (Opposed Business), Res. 283

Parliament—Dissolution and General Election—Vote of Censure, Res. 1129

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Ways and Means—Financial Statement, Res. 3, 688

**BRAND, Right Hon. H. B. W., (*see* SPEAKER, The)**

**BRASSEY, Mr. T., *Hastings***

Navy Estimates—Wages, &c. for Seamen and Marines, 1453

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**BRISTOWE, Mr. S. B., *Newark***

Education Department—Revised Code, Res. 1720

**British Museum—Salaries of Officers**

Question, Mr. Butt; Answer, Mr. Disraeli Mar 27, 377

**BROGDEN, Mr. A., *Wednesbury***

France—Commercial Treaty, 1872, 541

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**BROOKS, Mr. M., *Dublin***

Parliament—Address in Answer to the Speech, 118

**BROWN, Mr. A. H., *Wenlock***

Sanitary Acts—Polluted Water, 1585

**BROWNE, Mr. G. E., *Mayo Co.***

Ireland—Post Office—Money Order Offices, 407  
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**BRUEN, Mr. H., *Carlow Co.***

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Municipal Franchise (Ireland), 2R. 782

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**Building Act of 1844—Legislation**

Question, Mr. Locke; Answer, Mr. Asaheton  
Cross Mar 30, 406

**Building Societies, Benefit—Legislation**

Question, Mr. Gourley; Answer, Mr. Asaheton  
Cross Mar 26, 336

**Building Societies Bill**

(Mr. Torrens, Mr. Walpole, Mr. Gourley, Mr. Goldney, Mr. Dodds, Sir Charles Russell)

c. Ordered; read 1<sup>o</sup> Mar 30 [Bill 55]  
Bill read 2<sup>o</sup>, after short debate, and committed to a Select Committee April 28, 1336;  
List of the Committee, 1337

**BUTLER-JOHNSTONE, Mr. H. A., Canterbury**

Army Estimates—Land Forces, 473  
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**BUTT, Mr. I., Limerick City**

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**BUXTON, Sir R. J., Norfolk, S.**

Ireland—Contagious Diseases (Animals) Act, 626

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Parliament—Address in Answer to the Speech, 32

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**CALLAN, Mr. P., Dundalk**

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**CALLENDER, Mr. W. R., Manchester**

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**CAMERON, Dr. Charles, Glasgow**

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**CAMPBELL-BANNERMAN, Mr. H., Stirling, &c.**

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**Canada**

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Question, Mr. Gilpin; Answer, The Attorney General May 1, 1496

Dominion House of Commons—Administration of Oaths to Witnesses, Question, Mr. Edward Jenkins; Answer, Mr. J. Lowther April 13, 493

Pacific Railway—The Guarantee, Question, Sir Charles W. Dilke; Answer, Mr. J. Lowther April 27, 1179

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**CARLINGFORD, Lord**

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**CARNARVON, Earl of (Secretary of State for the Colonies)**

Colonial Clergy, 1172; 2R. 1805  
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**CARTWRIGHT, Mr. W. C., Oxfordshire**

Education Department—Revised Code, Res. 1710  
Slave Trade Papers, The, 929

**Cattle Disease (Ireland) Bill**

(Sir Michael Hicks-Beach, Mr. Attorney General for Ireland)

c. Ordered; read 1<sup>o</sup> Mar 27. [Bill 52]

**CAVE, Right Hon. S. (Judge Advocate General), *New Shoreham***

Army Estimates—Military Law, Administration of, 527  
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**CAVENDISH, Lord G. H., *Derbyshire, N.***  
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 Parliament—Speaker, Election of a, 7**CECIL, Lord E. H. B. G. (Surveyor General of Ordnance), *Essex, W.***

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***Central Asia—Afghanistan, Boundary of***  
 Question, Observations, Lord Napier and  
 Ettrick; Reply, The Earl of Derby; short  
 debate thereon May 8, 1906**Chain Cables and Anchors Bill**

(*Sir Charles Adderley, Mr. Cavendish Bentinck*)

c. Acts read; considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1<sup>st</sup> May 1 [Bill 85]  
 Question, Mr. Laird; Answer, Sir Charles Adderley May 5, 1876

**CHANCELLOR, The LORD (LORD CAIRNS)**

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 Income Tax—Appeals against Surcharges, 989  
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**CHAPLIN, Mr. H., *Lincolnshire Mid.***

Parliament—Address in Answer to the Speech, 118, 135  
 Speaker, Election of a, 5  
 Ways and Means, Comm. 1059; Report, 1203

**CHARLEY, Mr. W. T., *Salford***

Infanticide, 2R. 639  
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 Supply—New Courts of Justice and Offices, 1143

**CHILDERS, Right Hon. Hugh C. E., *Pontefract***

Intoxicating Liquors, Leave, 1251  
 Navy Estimates—Wages, &c. for Seamen and Marines, 867, 1417, 1420  
 Revenue Officers Disabilities, 2R. 963

***China—State of Woosung Bar, Shanghai***  
 Question, Mr. Robert Reid; Answer, Mr. Bourke April 24, 1895***Church of England—Patronage, &c.***

Moved, "That a Select Committee be appointed to inquire into the laws relating to patronage, simony, and exchange of Benefices in the Church of England" (*The Lord Bishop of Peterborough*) April 21, 1900; after debate, Motion agreed to; List of the Committee, 923

**Church Rates Abolition (Scotland) Bill**

(*Mr. McLaren, Mr. Baxter, Mr. Trevelyan, Mr. Grieve, Mr. Laing, Sir George Balfour, Dr. Cameron*)

c. Ordered; read 1<sup>st</sup> Mar 20

[Bill 26]

# Churchwardens Bill

(*Mr. Monk, Mr. Goldney*)

- c. Ordered; read 1<sup>o</sup> *Mar 23* [Bill 31]  
 Moved, "That the Bill be now read 2<sup>o</sup>"  
*April 16, 706*  
 Amendt. to leave out "now," and add "upon  
 this day six months" (*Mr. Beresford*  
*Hope*); after short debate, Question, "That  
 'now,' &c.," put, and negatived  
 Words added; main Question, as amended, put,  
 and agreed to; Bill put off for six months

## Civil Service

*Civil Servants—Pensions to Families of, Obser-*  
*vations, Mr. Baillie Cochrane; Reply, The*  
*Chancellor of the Exchequer April 17, 718*  
*Commission, Question, Mr. Dunbar; Answer,*  
*The Chancellor of the Exchequer April 21,*  
*925*  
*Expenditure Committee—Re-appointment, Ques-*  
*tion, Mr. Rathbone; Answer, Mr. Disraeli*  
*April 16, 628*  
*Organization, Question, Mr. Hankey; Answer,*  
*Mr. W. H. Smith May 7, 1837*  
*Writers—Report of Select Committee, Question,*  
*Sir James Lawrence; Answer, The Chan-*  
*cellor of the Exchequer Mar 23, 231;—Sick*  
*Leave, Question, Sir Charles W. Dilke; An-*  
*swer, The Chancellor of the Exchequer*  
*April 20, 815*

CLEVELAND, Duke of  
 Railway Companies, Res. 1904

CLIVE, Mr. G., *Hereford*  
 Game Birds (Ireland), 2R. 619  
 Imprisonment for Debt, 2R. 566

## Coal Mines—Explosion at Astley Deep Pits (Dukinfield)

Question, Mr. Macdonald; Answer, Mr. Asshe-  
 ton Cross *April 21, 924*  
 Moved an Address for "Return of all the lives  
 lost in the Astley Deep Pit, Dukinfield, with  
 cause of the loss of life and date of the  
 same:"  
 "And, Copy of the opinion of the Inspector of  
 the district, Mr. Wynne, on the management  
 and state of ventilation of the Mine at  
 the time of explosion on the 8th day of  
 March 1870" (*Mr. Macdonald*) *April 21,*  
*942; after short debate, Motion agreed to*  
*Part. P. No. 130*

## COCHRANE, Mr. A. D. W. R. Baillie, Isle of Wight

Civil Servants of the Crown, Families of, 718,  
 719  
 Egypt, Consular Jurisdiction in, 1262  
 Metropolitan Buildings and Management, 2R.  
 1353

## COGAN, Right Hon. W. H. F., *Kildare* Co.

Intoxicating Liquors (Ireland), 1836

## COLCHESTER, Lord

Parliament—Address in Answer to the Speech,  
 43  
 Railways, Ireland—Guarantees from County  
 Rates, 1400  
 Standards Commission, 1870, 221

## COLEBROOKE, Sir T. E., *Lanarkshire, N.* *East India Annuity Funds, Comm. 897*

## COLERIDGE, Lord

Judicature and Appeal (Scotland and Ireland),  
 1R. 1832

## COLLINS, Mr. E., *Kinsale* Irish Fisheries, Res. 1509

## COLMAN, Mr. J. J., *Norwich*

Ways and Means—Financial Statement, Res. 3,  
 697

## Colonial Clergy Bill [H.L.]

(*The Lord Blachford*)

- l. Question, Lord Blachford; Answer, The Earl  
 of Carnarvon *April 27, 1172*  
 Presented; read 1<sup>o</sup> *April 28* (No. 43)  
 Bill read 2<sup>o</sup>, after short debate *May 27, 1803*

## Colonies, Return of the Cost of

Question, Mr. Mellor; Answer, Mr. J. Lowther  
*May 4, 1586*

## Conjugal Rights (Scotland) Act Amend- ment Bill (*Mr. Anderson, Sir Edward Cole-* *brooke, Mr. Orr Ewing, Mr. James Cowan,* *Mr. Leith, Mr. Yeaman*)

- c. Ordered; read 1<sup>o</sup> *Mar 24* [Bill 45]  
 Bill read 2<sup>o</sup>, after short debate *April 22, 978*

## CONOLLY, Mr. T., *Donegal Co.*

Intoxicating Liquors in Ireland, Sale of, on a  
 Sunday, Res. 2019  
 Irish Fisheries, Res. 1513  
 Irish Railways, Acquisition and Control of,  
 Res. 1329

## Consolidated Fund (£7,000,000) Bill

(*Mr. Raikes, Mr. Chancellor of the Exchequer,*  
*Mr. William Henry Smith*)

- c. Considered in Committee; Resolution agreed  
 to *Mar 23*  
 Bill ordered; read 1<sup>o</sup> *Mar 24*  
 Read 2<sup>o</sup> *Mar 25*  
 Committee; Report *Mar 26*  
 Read 3<sup>o</sup> *Mar 27*  
 l. Read 1<sup>o</sup> (*The Lord President*) *Mar 27*  
 Read 2<sup>o</sup>; Committee negatived; then Standing  
 Orders Nos. 37 and 38 considered, and dis-  
 pensed with; Bill read 3<sup>o</sup> *Mar 28*  
 Royal Assent *Mar 30* [37 Vict. c. 2]



**Consolidated Fund (£13,000,000) Bill**

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith*)

- c. Resolution [April 30] reported; Bill ordered;  
 read 1<sup>o</sup> \* *May 1*  
 Read 2<sup>o</sup> \* *May 4*  
 Committee \*; Report *May 5*  
 Read 3<sup>o</sup> \* *May 7*  
 l. Read 1<sup>o</sup> \* (*The Lord President*) *May 7*  
 Read 2<sup>o</sup> \* *May 8*

**Consolidated Fund (£1,422,797 14s. 6d.) Bill**

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith*)

- c. Resolution [March 21] reported; Bill ordered;  
 read 1<sup>o</sup> \* *Mar 23*  
 Read 2<sup>o</sup> \* *Mar 24*  
 Committee \*; Report *Mar 25*  
 Read 3<sup>o</sup> \* *Mar 26*  
 l. Read 1<sup>o</sup> \* (*The Lord President*) *Mar 26*  
 Read 2<sup>o</sup>; Committee negative; Standing  
 Orders Nos. 37 and 38 considered, and dis-  
 pensed with; Bill read 3<sup>a</sup> *Mar 27*  
 Royal Assent *Mar 28* [37 Vict. c. 1]

**Contagious Diseases (Animals) Acts—Legislation**

Question, Mr. J. Barclay; Answer, Viscount  
 Sandon *April 23, 1886*

**Conveyancing and Land Transfer (Scotland) Bill**

(*The Lord Advocate, Mr. Secretary Cross, Mr. Cameron*)

- c. Motion for Leave (*The Lord Advocate*) *Mar 30*,  
 478; Motion agreed to; Bill ordered;  
 read 1<sup>o</sup> \* [Bill 60]  
 Bill read 2<sup>o</sup>, after short debate *April 16, 705*

**COOPE, Mr. O. E., *Middlesex***

Metropolitan Board of Works, 2R. 405  
 Post Office—Savings Bank Department, 482  
 Ways and Means—Local Taxation—Lunatics,  
 &c. 1181

**Coroners (Ireland) Bill**

(*Mr. Vance, Sir John Gray, Mr. Downing*)

- c. Ordered; read 1<sup>o</sup> \* *Mar 26* [Bill 49]

**CORRY, Mr. J. P., *Belfast***

Municipal Franchise (Ireland), 2R. 784

**County of Hertford and Liberty of Saint Alban Bill**

(*Mr. Cowper, Mr. Halsey, Mr. Abel Smith*)

- c. Ordered; read 1<sup>o</sup> \* *April 20* [Bill 77]

**Court of Judicature (Ireland) Bill [H.L.]**

(*The Lord Chancellor*)

- l. Presented; read 1<sup>a</sup>, after debate *May 7, 1808*  
 (No. 57)

**Courts (Colonial) Jurisdiction Bill [H.L.]**

(*The Earl of Carnarvon*)

- l. Presented; read 1<sup>o</sup> \* *May 1* (No. 48)

**Courts of Justice, The New—The Contract**

Question, Mr. Gregory; Answer, Lord Henry  
 Lennox *Mar 27, 345*; Question, Mr. Wait;  
 Answer, Lord Henry Lennox *April 16, 628*

**COWPER-TEMPLE, Right Hon. W. F., *Hampshire, S.***

Mercantile Marine—Passenger Ships, 1838  
 Metropolis—National Gallery—New Building,  
 541

**CRAWFORD, Mr. J. S., *Down***

Irish Fisheries, Rea. 1525

**CRICHTON, Viscount, *Enniskillen***

Game Birds (Ireland), 2R. 615; Comm. cl. 1,  
 1338

**Criminal Law**

*Broadmoor Asylum—Criminal Lunatics*, Ques-  
 tion, Mr. Walter; Answer, Mr. Assheton  
*Cross April 23, 988*

*Fenian Prisoners*, Question, Mr. Anderson;  
 Answer, Mr. Assheton *Cross Mar 27, 347*;  
 Question, Mr. Butt; Answer, Mr. Assheton  
*Cross Mar 30, 411*

*Release of the Countess de Civry*, Question, Mr.  
 Jones; Answer, Mr. Assheton *Cross Mar 27*,  
 349

*Remission of a Sentence*, Question, Sir William  
 Stirling Maxwell; Answer, Mr. Assheton  
*Cross Mar 30, 410*

**Criminal Law Amendment Act (1871) Repeal Bill**

(*Mr. Mundella, Mr. Eustace Smith, Mr. Macdonald, Mr. Burt, Mr. Carter, Mr. Morley*)

- c. Motion for Leave (*Mr. Mundella*) *Mar 24, 286*;  
 after short debate, Motion agreed to; Bill  
 ordered; read 1<sup>o</sup> \* [Bill 41]

**Cross, Right Hon. R. A. (Secretary of State for the Home Department), *Lancashire, S.W.***

Agricultural Labourers, Strike of, 1407  
 Archbishops and Bishops (Appointment and  
 Consecration), Leave, 478  
 Benefit Building Societies, 336  
 Betting, Comm. 944  
 Building Act of 1844—Legislation, 406  
 Building Societies, 2R. 1386  
 Churchwardens, 2R. 707

**Criminal Law—Questions, &c.**

*Broadmoor Asylum—Criminal Lunatics*, 988  
*Countess De Civry*, Release of, 349  
*Fenian Prisoners*, 347, 412  
*Remission of a Sentence*, 410

**Criminal Law Amendment Act (1871) Repeal, Leave, 287**

*Crystal Palace (Spiritous Liquors Licence)*,  
 1580; Motion for Papers, 2023

*Dukinfield—Astley Deep Pits, Explosion at*,  
 924; Motion for a Return, 943

*Factory Acts Amendment*, 2R. 1790, 1802

*Fires, Protection against*, 1262

*Game Laws (Scotland)*, 2R. 1367

*Imprisonment for Debt*, 2R. 569, 816

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Cross, Right Hon. R. A.—*cont.*

Infanticide, 2R. 639  
 Intoxicating Liquors, 486, 717; Leave, 1225, 1245, 1249, 1254, 1410  
 Ireland—Trinity College, Dublin, 985  
 Joint Stock Companies—Provident Savings Banks, 1094  
 Judicature Commission, 349  
 Juries, 2R. 977  
 Legal Departments—Commission on, Report, 1181  
 Licensing Act, 1872, 986, 1098  
 Metropolis—Labourers Dwellings, Somers Town, 815  
 Metropolis—Dwellings of Working People, Res. 1983  
 Metropolitan Buildings and Management, 2R. 1355, 1357  
 Metropolitan Police—Ex-Constable Goodchild, 625  
 Mines, Report of Inspectors, 1177  
 Nuisances Prevention Act—Inspectors of Nuisances—The Police, 1408  
 Parliamentary and Municipal Franchises, Register of, 625  
 Parliamentary Elections (Polling), 2R. 312  
 Parliamentary Elections (Returning Officers), 2R. 1341  
 Public Health (Scotland) Act—County Constables, 346, 990  
 Public Prosecutors, 957  
 Registration of Firms, 1496  
 Scotland—Police Force in Burghs, 812  
 Turnpike Trusts—Returns, 813  
 Supply—Comptroller and Auditor General of the Exchequer, 775  
 Tribunals of Commerce, 957  
 Truck System—Masters and Servants, 1406  
 Ways and Means—County Police, 1493  
 Workshops Act—Inspectors, 1179

CROSSLEY, Mr. J., *Halifax*  
 Factory Acts Amendment, 2R. 1773

**Cruelty to Animals Law Amendment Bill**  
*(Mr. Muntz, Sir Thomas Bazley, Mr. Sampson Lloyd)*

c. Ordered; read 1<sup>o</sup> \* April 16 [Bill 70]

*Crystal Palace (Spirituous Liquors Licence)*

Moved, "That there be laid before this House, a Copy of the Justices' Certificate upon which the Inland Revenue Department has issued a Licence to the Directors of the Crystal Palace for the sale of spirituous liquors, contrary to the express provision of the 13th section of the Crystal Palace Company's Act" (Sir Wilfrid Lawson) May 8, 2023

Amendt. to leave out from "liquors" to the end of the Question (Mr. Secretary Cross); after short debate, Question, "That the words, &c.," put, and negatived; main Question, as amended, put, and agreed to

Ordered, That there be laid before this House, a Copy of the Justices' Certificate upon which the Inland Revenue Department has issued a Licence to the Directors of the Crystal Palace for the sale of spirituous liquors

CUBITT, Mr. G., *Surrey, W.*  
 National Debt, 1176

CUNINGHAME, Sir W. J. M., *Ayr, &c.*  
 Game Laws (Scotland), 2R. 1388

*Custom House and Inland Revenue Officers*  
 Question, Mr. Monk; Answer, The Chancellor of the Exchequer April 28, 1862  
*Out-Door Officers Memorial*, Question, Mr. Grieve; Answer, The Chancellor of the Exchequer May 7, 1837

*Customs Writers—Salaries*  
 Question, Mr. Pease; Answer, The Chancellor of the Exchequer May 4, 1885; Question, Mr. Ritchie; Answer, The Chancellor of the Exchequer May 5, 1874

DALRYMPLE, Mr. C., *Buteshire*  
 Elementary Education Act—Evening Schools, 1587  
 Workshops Act—Inspectors, 1178

DAMER, Hon. Captain L. S. W. DAWSON-, *Portarlington*  
 Army—Royal Military College, Sandhurst—Sub-Lieutenants, 232

DAVENPORT, Mr. E. G., *St. Ives*  
 Irish Church Act—Surplus, 1174

DAVENPORT, Mr. W. BROMLEY-, *Warwickshire, N.*  
 Ancient Monuments, 2R. 587  
 Game Laws (Scotland), 2R. 1389

DAVIES, Mr. D., *Cardigan*  
 Intoxicating Liquors, Leave, 1263  
 Irish Railways—Acquisition and Control of, Res. 1309  
 Malt Tax, Res. 1032

*Dean Forest*

Moved, "That a Select Committee be appointed, 'to inquire into the Laws and rights affecting Dean Forest, and the condition thereof, having especial regard to the social and sanitary wants of its increasing population; and further to inquire whether it is expedient that any, and if so what, legislation should take place with respect to such Forest, and the future disposition or management of the same'" (Colonel Kingscote) April 21, 929; after short debate, Motion agreed to; List of the Committee, 933

*Debt, Imprisonment for—Legislation*

Question, Mr. M. T. Bass; Answer, Mr. Asheton Cross April 20, 816

DE LA WARR, Earl

Endowed Schools Commission, 1491, 1492  
 Railway Accidents, Motion for Papers, 259  
 Railways, Address for a Royal Commission, 1150, 1171  
 Suez Canal, 1925

DENISON, Mr. C. BECKETT-, *Yorkshire, W. R., E. Div.*

Dover Harbour, 1095

East India Annuity Funds, 2R. 538; Comm. Amendt. 896; Consid. add. cl. 1487; Amendt. 1488; 3R. 1563

East India Loan, Comm. Res. 186; 3R. 360  
Supply—Parks and Pleasure Gardens, 1133

DENMAN, Lord

Judicature and Appeal (Scotland and Ireland), 1R. 1830

DERBY, Earl of (Secretary of State for Foreign Affairs)

Afghanistan, 1912

Bills of Health in French Ports, 1833

Europe, Peace of, Motion for Papers, 1567

Parliament—Address in Answer to the Speech, 47, 48

Suez Canal, 1925

DEVON, Earl of

Endowed Schools—Ellsworth's Charity, Scheme for, Motion for an Address, 1575

DICKINSON, Mr. S. S., *Stroud*

East India Loan, 3R. 357

DICKSON, Major A. G., *Dover*

Army Reserves, Res. 515

Local Rating—Government Property, Rating of, 406

DICKSON, Mr. T. A., *Dungannon*

Intoxicating Liquors, Sale of, in Ireland on Sunday, Res. 2018

DIGBY, Mr. K. T., *Queen's Co.*

Peace Preservation (Ireland) Act—"Flag of Ireland" Newspaper, 1560

DILKE, Sir C. W., *Chelsea, &c.*

Agricultural Labourers, Strike of, 1407

Army—Defence Act—Wormwood Scrubs, 230, 629

Ballot Act, 361

Canada Pacific Railway—Guarantee, 1179

Civil Service Writers—Sick Leave, 815

Metropolitan Police—Ex-Constable Goodchild, 625

Parliament—New Writs, Issue of, 1845

Parliamentary Elections Act, 1836

Parliamentary Elections (Polling), 2R. 290, 317

DILLWYN, Mr. L. L., *Swansea*

Ancient Monuments, 2R. 593

Game Birds (Ireland), 2R. 618

Game Laws (Scotland), 2R. 1889

Hampton Court Park, 1097

Parliament—Business of the House (Opposed Business), Res. 277; Amendt. 285

Probate and Administration Uniformity, Res. 1100

DILLWYN, Mr. L. L.—*cont.*

Public Accounts, Committee on—Reports, 987  
Supply—Ashantee Expedition, 204

Comptroller and Auditor General of the Exchequer, 772, 773; Res. 896

House of Lords Offices, Amendt. 761, 762, 763

Houses of Parliament, 1136, 1137

Lord Privy Seal, Amendt. 769, 770

Parks and Pleasure Gardens, 1134

Patent Law Amendment Act, Amendt. 776

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Revenue Departments, 194

Royal Palaces, 1132

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### *Diplomatic Service*

*The Cairo Consulship—Egypt*, Question, Mr. Goldsmid; Answer, Mr. Bourke May 4, 1884

*The Mission at Berne*, Question, Sir Henry Wolf; Answer, Mr. Bourke May 4, 1883

DISRAELI, Right Hon. B., (First Lord of the Treasury), *Buckinghamshire*

Achoen—Treaty of 1819, 1589

Ashantee War—Captain Glover, 987

Vote of Thanks to the Forces, 412

British Museum—Officers, Salaries of, 377

Civil Service Expenditure, Committee on (1873), 628

Controverted Elections (Ireland)—Mr. Justice Lawson, 1582

East India Finance, Comm. 1490

India—East India Revenue Accounts, 334

Ireland—"Coercive Legislation," 543

Irish Church Act—Surplus, The, 1175

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Judicature Act—Irish and Scotch Appeals, 1581

Livingstone, Dr., 486, 487

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New Writs, Issue of, 1844, 1928, 1942

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Parliament—Address in Answer to the Speech, 85

Parliament—Business of the House (Opposed Business), Res. 280

Parliamentary Elections Act, 1836

Science and Art—Dr. Schliemann's Antiquities from the Troad, 1840

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Treasury, 765, 766

Wolsley, Sir Garnet J.—Grant to, 848

West African Settlements, Res. 1225, 1592, 1664

DIXON, Mr. G., *Birmingham*

Poor Law—Case of the Woman Day, 1835

**DODSON, Right Hon. J. G., Chester**  
 Beer, Taxation of, &c. in Foreign Countries, 232  
 Parliament—Business of the House, 339  
 Parliament—Business of the House (Opposed Business), Res. 279  
 Supply—House of Lords, Offices of the, 763  
 Treasury, 766, 767  
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### *Dover Harbour*

Question, Mr. Beckett-Denison; Answer, Sir Charles Adderley April 24, 1895

**DOWNING, Mr. M'Carthy, Cork Co.**  
 East India Finance, Comm. Amendt. 1490  
 Game Birds (Ireland), Comm. cl. 1, 1338  
 Irish Fisheries, Res. 1527  
 Irish Railways, Acquisition and Control of, Res. 1303, 1304  
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**DUFF, Mr. M. E. Grant, Elgin, &c.**  
 East India Annuity Funds, Comm. 898  
 East India Loan, 3R. 354  
 Irish Fisheries, Res. 1514

**DUNBAR, Mr. J., New Ross**  
 Civil Service Commission, 925

**DUNMORE, Earl of**  
 Railway Accidents, Motion for Papers, 260  
 Railway Companies, Res. 1904  
 Standards Commission, 1870, 223

*Dwellings of Working People in London*  
 Amendt. on Committee of Supply May 8, To leave out from "That," and add "in the opinion of this House, a necessity exists for some measure that will provide for the improvement of the poorest classes of dwellings in London, and that this question demands the early attention of Her Majesty's Government" (Mr. Kay-Shuttleworth) v., 1943; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

**DYKE, Mr. W. Hart (Secretary to the Treasury), Kent, Mid**  
 Parliament—Adjournment of the House, 19

**EARP, Mr. T., Newark**  
 Friendly Societies, 1178  
 Metropolis—Dwellings of Working People, Res. 1977  
 Supply—Patent Law Amendment Act, 777

**East India [Annuity Funds] Bill**  
 (Mr. Raikes, Lord George Hamilton, Mr. William Henry Smith)

c. Resolution [March 21] reported; Bill ordered; read 1<sup>o</sup> Mar 23 [Bill 30]  
 Bill read 2<sup>o</sup>, after short debate April 13, 537  
 Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" April 20, 596

[cont.]

### *East India [Annuity Funds] Bill—cont.*

Amendt. to leave out from "That," and add "the Bill be committed to a Select Committee" (Mr. Beckett-Denison) v.; after short debate, Question, "That the words, &c.;" put, and agreed to; main Question, "That Mr. Speaker, &c.;" put, and agreed to; Committee; Report  
 Considered April 30, 1487  
 Bill read 3<sup>o</sup>, after short debate May 1, 1563

### **East India Loan Bill**

(Mr. Raikes, Mr. William Henry Smith, Lord George Hamilton, Mr. Dyke)

c. Resolution [March 20] reported; Bill ordered; read 1<sup>o</sup> Mar 21 [Bill 28]  
 Observations, General Sir George Balfour; Reply, Lord George Hamilton Mar 21, 208  
 Read 2<sup>o</sup> Mar 23, 253  
 Committee\*; Report Mar 26  
 Read 3<sup>o</sup>, after debate Mar 27, 350  
 l. Read 1<sup>o</sup> (The Marquess of Salisbury) Mar 27 (No. 19)  
 Read 2<sup>a</sup>; Committee negative; and Standing Orders Nos. 37 and 38 considered, and dispensed with; Bill read 3<sup>a</sup> Mar 28  
 Royal Assent Mar 30 [37 Vict. c. 3]

### **EDMONSTONE, Admiral Sir W., Strlingshire**

Game Laws (Scotland), 2R. 1376  
 Navy—H. M. Dockyards, 845  
 Navy—Unarmoured and Iron-clad Ships, Res. 1851  
 Supply—Ashantee Expedition, 203  
 West African Settlements, Res. 1629

### **EGERTON, Hon. A. F. (Secretary to the Board of Admiralty), Lancashire, S.E.**

Navy—H.M.S. "London," 410  
 Navy Estimates—Wages, &c. for Seamen and Marines, 1446, 1484  
 Supply—Zanzibar Expedition, 207

### **EGERTON, Hon. Wilbraham, Cheshire, Mid**

French Commercial Treaty—British Salt, 1407

### *Egypt*

*Alexandria and Ramlegh Railway Company*, Question, Mr. W. Lowther; Answer, Mr. Bourke April 16, 628  
*Consular Jurisdiction*, Question, Mr. Baillie Cochrane; Answer, Mr. Bourke April 28, 1263 [See title Suez Canal]

### *Education Department*

*The Annual Report*, Question, Mr. Kay-Shuttleworth; Answer, Viscount Sandon May 1, 1495

### *The Revised Code—The Third Standard*

Moved, "That, in the opinion of this House, it is undesirable that the Guardians of the Poor should be relieved from the duty of providing for the education of the children of parents in the receipt of out-door relief,

[cont.]

*Education Department—cont.*

under section 3 of 'The Elementary Education Act Amendment Act, 1873,' as soon as those children reach so low a standard as the Third Standard of the Education Code" (*Mr. Kay-Shuttleworth*) May 5, 1707; after debate, Question put; A. 202, N. 265; M. 63; Division List, Ayes and Noes, 1736

*Emoluments of Teachers*

Moved, "That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Return of the average income received in the year 1873 from all professional sources by the Male Certificated Teachers in the Schools aided by annual Grants in England and Wales; also the total number of Male Certificated Teachers, and the number of these provided with official residences rent-free in England and Wales:

"Similar Return of Female Teachers: similar Returns for Scotland: similar Return of the average total income at present derived from their Schools by the Male Teachers of Ireland; also the total number of such Teachers, and the number of these provided with official residences rent-free in Ireland: and, similar Return for Female Teachers" (*Captain Nolan*) Mar 31, 491

Amendt. to add, at the end thereof, "the Returns to show how far these Emoluments are derived from National Funds, from Local Rates, from School Pence, and from Local Voluntary Contributions" (*Mr. McLaren*); Question proposed, "That those words be there added;" after short debate, debate adjourned

Question again proposed April 17, 784; Question, "That those words be there added," put, and agreed to; main Question, as amended, put, and agreed to.

*Evening Schools*, Question, *Mr. Dalrymple*; Answer, Viscount Sandon May 4, 1587

*Extra Subjects*, Observations, *Sir John Lubbock*; Reply, Viscount Sandon; debate thereon May 1, 1531

**Elementary Education Act (1870) Amendment Bill**

(*Mr. Richard, Sir Thomas Bazley, Mr. Morley, Mr. William McArthur, Sir Henry Bouverie*)  
c. Ordered; read 1<sup>o</sup> Mar 20 [Bill 6]

*Elementary Education Act—The Voluntary System*

Question, Viscount Sidmouth; Answer, The Duke of Richmond April 28, 1259

**Elementary Education (Compulsory Attendance) Bill**

(*Mr. Dixon, Mr. Mundella, Sir John Lubbock, Mr. Trevelyan, Mr. Melly*)  
c. Ordered; read 1<sup>o</sup> Mar 20 [Bill 16]

*ELLIOT, Admiral G., Chatham*

Navy—H.M. Dockyards, 819, 828, 832, 835, 842, 845

Navy—Unarmoured and Iron-clad Ships, Res. 1847, 1852, 1853, 1857

Navy Estimates—Wages, &c. for Seamen and Marines, 1483

Works, Buildings, &c. 534

West African Settlements, Res. 1643

*EMLY, Lord*

Railways, Ireland—Guarantees from County Rates, 1404, 1405

*Endowed Schools*

*The Endowed Schools Commission*, Question, Observations, Earl De La Warr; Reply, The Duke of Richmond; short debate thereon May 1, 1491

*Scheme for Ellsworth's Charity*

Moved that an humble Address be presented to Her Majesty, praying Her Majesty to refuse Her assent to the scheme of the Endowed Schools Commissioners for the management of the charity established under the Will of Richard Ellsworth for the benefit of the parishes of Timberscombe and Cutscombe and adjacent parishes in the county of Somerset (*Bishop of Bath and Wells*) May 4, 1570; after short debate, Motion agreed to

*Scheme for Combe's School, Crewkerne*

Moved that an humble Address be presented to Her Majesty, praying Her Majesty to refuse her assent to the scheme of the Endowed Schools Commissioners for the management of the school founded by John de Combe in the year 1499, at Crewkerne in the county of Somerset (*Bishop of Bath and Wells*) May 4, 1577; after short debate, Motion agreed to; the Queen's Answers to Addresses reported May 7, 1803

*Gelligaer Schools*

Moved that an humble Address be presented to Her Majesty, praying Her Majesty to refuse her assent to the scheme of the Endowed Schools Commissioners for the management of the Foundation of Edward Lewis for a school at Gelligaer in the county of Glamorgan, and for other charitable objects (*The Duke of Beaufort*) May 8, 1917; after short debate, Motion withdrawn

Then it was moved, that an humble Address be presented to Her Majesty, praying Her Majesty to refuse her assent to the proviso in the 56th clause of the scheme of the Endowed Schools Commissioners for the management of the Foundation of Edward Lewis for a School at Gelligaer in the county of Glamorgan, and for other charitable objects (*The Duke of Beaufort*); Motion agreed to

*ERRINGTON, Mr. G., Longford Co.*

Game Birds (Ireland), Comm. cl. 1, Amendt. 1337

Ireland—Grand Jury System, 813



**ESLINGTON, Lord, Northumberland, S.**  
Board of Trade (Marine Department), 1883  
Navy—Naval Reserve, 732, 733, 736  
Navy Estimates—Wages, &c. for Seamen and  
Marines, 1449  
Ways and Means, Comm. 1055; Report, 1200

**EVANS, Mr. T. W., Derbyshire, S.**  
Elementary Schools, Extra Subjects in, Res.  
1540

**EWING, Mr. A. Orr, Dumbarton**  
Ways and Means, Report, 1191, 1195

**EXCHEQUER, CHANCELLOR of the (see  
CHANCELLOR of the EXCHEQUER)**

### *Explosive Substances*

Select Committee appointed "to inquire into the Law relating to the making, keeping, carriage, and importation of gunpowder, nitro-glycerine, ammunition, fireworks, and all substances of an explosive nature, and to consider the best means of making adequate provision for the safety of the public and of the persons employed in such making, keeping, carriage, and importation, with a due regard to the necessities of the trade" (*Mr. Secretary Cross*) April 16; List of the Committee, 708

**EYTON, Mr. P. E., Flint, &c.**  
Land Tax, Res. 545

### **Factory Acts Amendment Bill**

(*Mr. Mundella, Mr. Shaw, Mr. Callender, Mr. Philips, Mr. Cobbett, Mr. Anderson, Mr. Morley*)  
c. Ordered; read 1<sup>o</sup> Mar 20 [Bill 5]  
Moved, "That the Bill be now read 2<sup>o</sup>" May 6, 1740

Amendt. to leave out from "That," and add "legislation upon interests so vast and important as are involved in the question of diminishing the hours of labour in Factories and of further restricting the capital of the employers, ought to originate with Government rather than with a private Member, and with the previous inquiry of a Committee or Commission to report upon the merits of a question of such magnitude, to guide the House and the Government in determining whether any and what Amendments are needed" (*Sir Thomas Basley*) v., 1770; Question proposed, "That the words, &c.;" after debate, Moved, "That the Debate be now adjourned" (*Mr. Roebuck*); after further short debate, Amendt. withdrawn; Question put, and agreed to; Debate adjourned

**FAWCETT, Mr. H., Hackney**  
Factory Acts Amendment, 2R. 1801

**FIELDEN, Mr. J., Yorkshire, W.R., E. Div.**  
Malt Tax, Res. Amendt. 1021, 1040

### *Fiji Islands—Rumoured Cession*

Question, Mr. William M'Arthur; Answer, Mr. J. Lowther April 14, 544  
Copy of a letter addressed to Commodore Goodenough, R.N., and E. L. Layard, esquire, Her Majesty's Consul in Fiji, instructing them to report upon various questions connected with the Fiji Islands; with enclosures; presented (*The Earl of Carnarvon*) April 20, 809

### **Fines, Fees, and Penalties Bill**

(*Mr. Serjeant Simon, Mr. Melly, Mr. Charley, Mr. Rathbone, Mr. Mellor, Mr. Gourley*)  
c. Ordered; read 1<sup>o</sup> Mar 30 [Bill 59]

### *Fires, Protection against—Legislation*

Question, Mr. M'Lagan; Answer, Mr. Assheton Cross April 28, 1261

**FITZGERALD, Right Hon. Sir W. Seymour, Horsham**  
East India Loan, 248; 3R. 350

**FITZMAURICE, Lord E. G., Calne**  
Metropolitan Board of Works, 2R. 399

### *Foreign Office—Salaries*

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**FORSTER, Right Hon. W. E., Bradford**  
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Factory Acts Amendment, 2R. 1801, 1802  
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*France*

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*The Commercial Treaty, 1872—British Mineral Oils*, Question, Mr. Brogden; Answer, Mr. Bourke April 14, 541;—*British Salt*, Question, Mr. Wilbraham Egerton; Answer, Mr. Bourke April 30, 1407

**FRESHFIELD, Mr. C. K., Dover**  
India—Kirwee Prize Money, 407

*Friendly Societies—Legislation*

Question, Mr. Earp; Answer, The Chancellor of the Exchequer April 27, 1178

**Game Birds (Ireland) Bill**

(*Viscount Crichton, Mr. Serjeant Sherlock, The Marquess of Hamilton*)

c. Ordered; read 1<sup>o</sup> Mar 24 [Bill 37]  
Moved, "That the Bill be now read 2<sup>o</sup>" April 15, 615

Amendt. to leave out "now," and add "upon this day six months" (*Mr. O'Connor*); after short debate, Question put, "That 'now,' &c.;" A. 141, N. 60; M. 81

Main Question put, and agreed to; Bill read 2<sup>o</sup> Committee; Report April 28, 1337

**Game Laws Abolition Bill**

(*Mr. P. A. Taylor, Mr. Burt, Mr. Dickinson, Mr. George Dixon, Mr. McCombie*)

c. Ordered; read 1<sup>o</sup> Mar 24 [Bill 36]

**Game Laws (Scotland) Bill**

(*Mr. McLagan, Sir Edward Colebrooke, Mr. Orr Ewing, Mr. Maitland*)

c. Ordered; read 1<sup>o</sup> Mar 20 [Bill 17]  
Moved, "That the Bill be now read 2<sup>o</sup>" April 29, 1357

Amendt. to leave out "now," and add "upon this day six months" (*Colonel Alexander*); after debate, Question put, "That 'now,' &c.;" A. 127, N. 192; M. 65

Words added; main Question, as amended, put, and agreed to; 2R. put off for six months

**GARDNER, Mr. J. T., Agg., Cheltenham**  
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**Gas and Water Orders Confirmation Bill [H.L.]** (*The Lord Dunmore*)

l. Presented; read 1<sup>o</sup>; and referred to the Examiners May 4 (No. 52)

*Gas Companies—The Price of Gas*

Question, Mr. Goldney; Answer, Sir Charles Adderley Mar 26, 338

**Gas Orders Confirmation Bill [H.L.]** (*The Lord Dunmore*)

l. Presented; read 1<sup>o</sup> April 16 (No. 25)

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**GOLDNEY, Mr. G., Chippenham**

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c. Ordered; read 1<sup>o</sup> Mar 24 [Bill 39]

### Imprisonment for Debt Bill

(*Mr. Bass, Mr. Cobbett, Mr. Henry Feilden*)  
c. Ordered; read 1<sup>o</sup> Mar 20 [Bill 19]  
Moved, "That the Bill be now read 2<sup>o</sup>"  
*April 14, 545*  
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Lopes*); after debate, Question put, "That 'now,' &c.;"  
A. 72, N. 215; M. 143  
Words added; main Question, as amended, put, and agreed to; 2R. put off for six months

### INCHQUIN, Lord

Railways, Ireland—Guarantees from County Rates, 1397

### Income Tax, The

Amendt. on Committee of Supply Mar 23, To leave out from "That," and add "in the opinion of this House, incomes not exceeding £500 a-year should be exempted from the payment of Income Tax" (*Mr. Sandford*) v., 234; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn  
Postponement of Motion (*Mr. Charles Lewis*)  
*April 13, 496*

### INDIA

*Coolies in the Mauritius*, Question, Mr. Edward Jenkins; Answer, Mr. J. Lowther *April 27, 1180*

*East India Revenue Accounts—The Financial Statement*, Question, Mr. Salt; Answer, Mr. Disraeli *Mar 26, 334*

*Finance of India—Borrowing Powers*, Question, Sir Charles Mills; Answer, Lord George Hamilton *April 23, 985*

*Kirwee Prize Money*, Question, Mr. Freshfield; Answer, Lord George Hamilton *Mar 30, 407*

*Madras Irrigation Company*, Question, Mr. Smollett; Answer, Lord George Hamilton *May 8, 1926*

*Meteorological Department in India*, Observations, Mr. Egerton Hubbard; short debate thereon *May 8, 1987*

*Natural History Collections*, Question, Sir John Lubbock; Answer, Lord George Hamilton *May 5, 1673*

*Registration of Births, Deaths, and Marriages*, Question, Colonel Makins; Answer, Lord George Hamilton *April 23, 988*

### Straits Settlements, The

Questions, General Sir George Balfour; Answer, Mr. J. Lowther *May 4, 1688*

*Singapore Emigration Act*, Question, Mr. Palmer; Answer, Mr. J. Lowther *Mar 31, 484*

*Telegraphic Correspondence*, Question, Mr. O'Donnell; Answer, Lord George Hamilton *April 21, 928*

### India—Bengal Famine

Abstract of Correspondence between the Government of India and the Secretary of State in Council relative to the Drought in Bengal presented (by command) (*The Marquess of Salisbury*) *Mar 20, 92*

Parl. Papers [955-III.]

Question, Mr. Onslow; Answer, Lord George Hamilton *Mar 20, 109*; Question, Mr. Gourley; Answer, Lord George Hamilton *Mar 23, 229*; Question, Mr. O'Donnell; Answer, Lord George Hamilton *Mar 31, 483*; *April 17, 711*

### India—Bengal Famine

Moved, "That an humble Address be presented to Her Majesty for, Copies of the Annual Report on the Revenue and Settlement Administration of Oude for the year ending 30th September 1872: Copy of the Despatch from the Secretary of State in Council relative to that Report, dated February 1874: Copy of the Report for the same Province for the year ending 30th September 1873" (*The Duke of Argyll*) *April 24, 1063*; after short debate, Motion agreed to

### India (Drought in Bengal)—Selection of Despatches

Moved, "That in the case of Abstracts and Summaries, such as the 'Abstract of Correspondence between the Government of India and the Secretary of State in Council relative to the Drought in Bengal,' recently presented to Parliament without any guarantee as to the selection or editing of the contents, the name of the selector or editor shall be appended for the information of Parliament" (*Mr. O'Donnell*) *April 21, 933*

Amendt. proposed, in line 2, to leave out "such as the 'Abstract'" (*Lord George Hamilton*); after short debate, Question, "That the words, &c.," put, and negatived; main Question, as amended, put, and negatived

### India—East India [Annuity Funds]

Considered in Committee (Queen's Recommendation signified) *Mar 21, 209*

Moved, "That it is expedient to make provision for the transfer of Assets and Liabilities of the Bengal and Madras Civil Service Annuity Funds, and the Annuity Branch of the Bombay Civil Fund, to the Secretary of State for India in Council" (*Lord George Hamilton*); Resolution agreed to  
[See title *East India Annuity Funds Bill*]

### India—East India Finance—Appointment of a Select Committee

Questions, Mr. T. E. Smith, Mr. W. M. Torrens; Answers, Lord George Hamilton *Mar 26, 337*

Select Committee appointed, "to inquire into charges payable in this Country for which the Revenues of India are liable" *April 20*; List of the Committee, 899

Moved, "That the Select Committee do consist of Nineteen Members" (*Lord George Hamilton*) *April 30, 1490*

*India—East India Finance—Appointment of a Select Committee—cont.*

Amendt. to leave out "Nineteen," and insert "Twenty-one" (*Mr. Downing*) v.; after short debate, Question, "That the word 'Nineteen,' &c.," negatived  
 \* 'Twenty-one' inserted, instead thereof; main Question, as amended, agreed to; Members added, 1490

*India—East India Loan*

Considered in Committee *Mar 20*, 174  
 Moved to resolve, "That it is expedient to enable the Secretary of State in Council of India to raise a sum, not exceeding £10,000,000, in the United Kingdom, for the service of the Government of India, on the credit of the revenues of India" (*Lord George Hamilton*); after short debate, Motion agreed to  
 [See title *East India Loan Bill*]

**Infanticide Bill**

(*Mr. Charley, Mr. Gilpin, Mr. Holker, Mr. Edward Davenport*)

c. Ordered; read 1<sup>o</sup> *Mar 20* [Bill 25]  
 Bill read 2<sup>o</sup>, after short debate *April 13*, 539

*Inland Revenue Act—Grain for Cattle—Germination of Grain*

Question, *Mr. Power*; Answer, The Chancellor of the Exchequer *May 4*, 1589

**Innkeepers Liability Bill**

(*Mr. Wheelhouse, Mr. Locke, Colonel Makins*)

c. Ordered; read 1<sup>o</sup> *Mar 26* [Bill 50]

**INTOXICATING LIQUORS BILL**

*Miscellaneous Questions*

Question, *Sir Wilfrid Lawson*; Answer, *Mr. Asheton Cross* *Mar 31*, 486; *April 17*, 717; Question, *Mr. Montagu Scott*; Answer, *Mr. Asheton Cross* *April 30*, 1410; Question, *Mr. Cogan*; Answer, *Sir Michael Hicks-Beach* *May 7*, 1836; Question, *Mr. Brogden*; Answer, *Sir Henry Selwin-Ibbetson* *May 7*, 1841; Question, *Mr. Sullivan*; Answer, *Sir Michael Hicks-Beach* *May 8*, 1927

*Licensing Act*, 1872, Question, *Mr. J. G. Talbot*; Answer, *Mr. Asheton Cross* *April 23*, 986;—*Adulteration of Liquors*, Question, *Mr. J. G. Talbot*; Answer, *Mr. Asheton Cross* *April 24*, 1098

*Licensing Act—The Crystal Palace*, Question, *Sir Wilfrid Lawson*; Answer, *Mr. Asheton Cross* *May 4*, 1580

**Intoxicating Liquors Bill**

(*Mr. Raikes, Mr. Secretary Cross, Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer*)

c. Acts read; considered in Committee; after debate, a Resolution agreed to, and reported; Bill ordered; read 1<sup>o</sup> *April 27*, 1225  
 [Bill 83]

**Intoxicating Liquors (Ireland) Bill**

(*Mr. Sullivan, Mr. Dease*)

c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1<sup>o</sup> *Mar 23* [Bill 32]

**IRELAND**

"*Coercive Legislation*," Questions, *Lord Robert Montagu, Mr. Newdegate*; Answers, *Mr. Disraeli, Mr. Speaker* *April 14*, 543

*Contagious Diseases (Animals) Act*, Question, *Sir Robert Buxton*; Answer, *Sir Michael Hicks-Beach* *April 16*, 626

*Denominational Education—Legislation*, Question, *Mr. O'Callaghan*; Answer, *Sir Michael Hicks-Beach* *April 21*, 923

*Disturbance at Coal-Island, Tyrone*, Question, *Mr. W. Johnston*; Answer, *Sir Michael Hicks-Beach* *Mar 26*, 336

*Drainage of the River Shannon—Legislation*, Question, *Mr. Serjeant Sherlock*; Answer, *Sir Michael Hicks-Beach* *Mar 23*, 228

*Dunmore Harbour*, Question, *Mr. Kavanagh*; Answer, *Sir Michael Hicks-Beach* *Mar 31*, 481

*Irish Church Act*, 1869—*The Surplus*, Question, *Mr. E. Davenport*; Answer, *Mr. Disraeli* *April 27*, 1174

*Labourers' Dwellings—Legislation*, Question, *Mr. P. J. Smyth*; Answer, *Sir Michael Hicks-Beach* *Mar 24*, 267

*Married Women's Property Act*, 1870—*Legislation*, Question, *Mr. Meldon*; Answer, *Sir Michael Hicks-Beach* *April 17*, 716

*Peace Preservation (Ireland) Act*, Question, *Captain Nolan*; Answer, *Sir Michael Hicks-Beach* *Mar 30*, 411;—*The "Flag of Ireland" Newspaper*, Observations, *Mr. Owen Lewis*; Reply, *Sir Michael Hicks-Beach*; debate thereon *May 1*, 1549

*Poor Law—Amalgamation of Unions*, Question, *Captain Nolan*; Answer, *Sir Michael Hicks-Beach* *April 27*, 1177

*Post Office*

*Money Order Offices*, Question, *Mr. G. Browne*; Answer, *Lord John Manners* *Mar 30*, 406

*Postal Facilities in Mayo*, Observations, Question, *Mr. Tighe*; Answer, *Lord John Manners*; short debate thereon *April 24*, 1129

*Preservation of Ancient Monuments*, Question, *Mr. Mitchell Henry*; Answer, *Sir Michael Hicks-Beach* *May 4*, 1591

*Public Works Loan Commissioners—Loans to Local Authorities*, Question, *Mr. Power*; Answer, The Chancellor of the Exchequer *April 17*, 713

*Railways—Guarantees from County Rates*, Observations, *Lord Carlingford*; Reply, *The Duke of Richmond*; debate thereon *April 30*, 1393

*The Franchise—Legislation*, Question, *Mr. Meldon*; Answer, *Sir Michael Hicks-Beach* *April 17*, 716

*The Grand Jury System—Legislation*, Question, *Mr. Errington*; Answer, *Sir Michael Hicks-Beach* *April 20*, 813

*Trinity College, Dublin*, Question, *Mr. Butt*; Answer, *Mr. Asheton Cross* *April 23*, 985

[cont.]

**Ireland—cont.**

*Union Rating—Legislation*, Question, Mr. G. Browne ; Answer, Sir Michael Hicks-Beach *Mar 25, 290*

*University Education—Legislation*, Question, Mr. Moore ; Answer, Sir Michael Hicks-Beach *April 24, 1097*

**Ireland—Acquisition of Railways**

Moved, "That it is expedient that measures should be taken to obtain possession of the Irish Railways and place them under Government management" (*Mr. Blennerhassett*) *April 28, 1263*

Amendt. proposed to leave out from "That," and add "the purchase of the Irish Railways by the State would be financially inexpedient, would unduly enlarge the patronage of the Government, and seriously increase the pressure of business in Parliament" (*Mr. Goldsmid*) v. ; Question proposed, "That the words, &c.:" after long debate, Question put ; A. 56, N. 241 ; M. 185 ; Motion amended ; main Question, as amended, put ; A. 235, N. 59 ; M. 176

Division List, Ayes and Noes, 1333

**Ireland—Derry Celebrations—Costs of Colonel Hillier**

Moved, "That there be laid before this House, a Return of all sums paid out of public moneys on account of damages or costs recovered, since the 1st day of January 1870, in any action against Colonel Hillier, the Deputy Inspector General of the Royal Irish Constabulary ; specifying in each case the name of the Plaintiff and Defendant, the amount paid for damages and costs, and the fund out of which the amount was paid" (*Mr. Butt*) *Mar 31, 488* ; after short debate, Question put, and negatived

**Ireland—Irish Fisheries**

Amendt. on Committee of Supply *May 1*, To leave out from "That," and add "the decay of the Irish Sea Coast Fisheries imperatively calls for the immediate attention of Her Majesty's Government, and demands the application of the remedies recommended by the Reports of Royal Commissions and of Select Committees, and that this House pledges itself to support any well-considered measure that may be introduced on the subject, and conformeth to such recommendations" (*Mr. Synan*) v., 1498 ; after debate, Question put, "That the words, &c.:" A. 93, N. 95 ; M. 2 ; words added ; main Question, as amended, put, and agreed to  
Division List, Ayes and Noes, 1529

**Ireland—Sale of Intoxicating Liquors in Ireland on Sunday**

Amendt. on Committee of Supply *May 8*, To leave out from "That," and add "in the opinion of this House, the Law which prohibits the sale of Intoxicating Liquors on Sunday in Scotland ought to be extended to Ireland" (*Mr. Richard Smyth*) v., 1991 ; Question proposed, "That the words, &c.:" after debate, Question put ; A. 201, N. 110 ; M. 91

**Ireland—The Jury System**

Select Committee appointed, "to inquire and report on the working of the Irish Jury system before and since the passing of the Act 34 & 35 Vic. c. 65 ; and whether any and what amendments are necessary to secure the due administration of justice" (*Mr. Bruen*) *Mar 24* ; List of the Committee, 288

**Irish Land Act Extension Bill**

(*The O'Donoghue, Sir Wilfrid Lawson, Mr. James Barclay, Mr. Herbert*)

c. Ordered \* *Mar 25*

**Iale of Man Harbour Dues Bill**

(*Mr. Raikes, Mr. William Henry Smith, Sir Henry Selwin-Ibbetson*)

c. Considered in Committee ; Resolution agreed to, and reported ; Bill ordered \* *Mar 31*

**JAMES, Sir H., Taunton**

Controverted Elections (Ireland)—Mr. Justice Lawson, Res. 1897

Imprisonment for Debt, 2R. 555

Juries, 2R. 973

Parliament, Houses of—Light in Clock Tower, 926

New Writ—Borough of Stroud, 1934

Parliamentary Elections (Polling), 2R. 300

Parliamentary Elections (Returning Officers), 2R. 1339

**JAMES, Mr. W. H., Gateshead**

Supply—Houses of Parliament, 1135

**JENKINS, Mr. E., Dundee**

Ashantee War, 486

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Mauritius—Coolies, The, 1180

Natal—Kaffir Outbreak, The Late, 286

Parliamentary Elections (Polling), 2R. 306

West African Settlements, Res. 1647

**JENKINSON, Sir G. S., Wiltshire, N.**

Ancient Monuments, 2R. 582

Malt Tax, Res. 1039, 1041

Metropolis—Thames Embankment—Access from the Strand, 632

Suez Canal—Navigation, Suspension of, 714, 1096, 1182

Turnpike Trusts, Extinction of—Legislation, 631

Ways and Means—Financial Statement, Res. 3, 680 ; Comm. Amendt. 1059

**JERVIS, Colonel H. J. W., Harwich**

Army—Landguard Fort, 983

**JOHNSTON, Mr. W., Belfast**

Ashantee War—Garrison at Prahsu, 1841

Ireland—Tyrone—Coal Island, Disturbance at, 336

Parliament—Address in Answer to the Speech, 148

JOHNSTONE, Sir H., *Scarborough*  
Intoxicating Liquors, Leave, 1247

*Joint-Stock Companies—Provident Savings  
Banks—Legislation*

Question, Sir Edward Watkin; Answer, Mr.  
Asheton Cross April 24, 1094

JONES, Mr. J., *Carmarthenshire*  
Criminal Law—Countess De Civry, Release of  
the, 349

**Juries Bill**

(*Mr. Lopes, Mr. Gregory, Mr. Goldney*)

c. Ordered; read 1<sup>o</sup> Mar 20 [Bill 18]  
Bill read 2<sup>o</sup>, after debate April 22, 964

KAVANAGH, Mr. A. M., *Carlow Co.*  
Ireland—Dunmore Harbour, 481  
Irish Railways, Acquisition and Control of,  
Res. 1307

KAY-SHUTTLEWORTH, Mr. U. J., *Hastings*  
Education Department—Annual Report, 1495;  
—Revised Code, Res. 1707, 1735  
Elementary Schools, Extra Subjects in, Res.  
1540  
Metropolis—Dwellings of Working People, Res.  
\*1943, 1977, 1987  
Metropolitan Buildings and Management, 2R.  
1353

KENSINGTON, Lord, *Haverfordwest*  
Parliament—New Writs, Issue of, 1845, 1928

KIMBERLEY, Earl of  
Ashantee War—Grant to the Forces, 1258  
Colonial Clergy, 2R. 1806

KINGSCOTE, Colonel R. N. F., *Gloucester-  
shire, W.*  
Dean Forest, Motion for a Committee, 929

KINNAIRD, Hon. A. F., *Perth*  
Acheen—Treaty of 1819, 1589  
Metropolitan Buildings and Management, 2R.  
1355  
Navy—H.M.S. "London," 410  
Ways and Means, Report, 1200  
West African Settlements, Res. 1643

KNATCHBULL-HUGESSEN, Right Hon. E.  
H., *Sandwich*  
Ashantee War—Captain Glover, 986  
Parliament—Business of the House (Opposed  
Business), Res. 284  
West African Settlements, Res. 1603

KNIGHTLEY, Sir R., *Northamptonshire, S.*  
West African Settlements, Res. Motion for  
Adjournment, 1663

**Labourers Cottages (Scotland) Bill**  
(*Mr. Fordyce, Mr. McCombie, Mr. James Barclay,  
Sir George Balfour, Mr. Kinnaird*)  
c. Ordered; read 1<sup>o</sup> Mar 31 [Bill 63]

LAING, Mr. S., *Orkney, &c.*  
East India Annuity Funds, Comm. 898  
East India Loan, Comm. Res. 187; 3R. 357  
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LAIRED, Mr. J., *Birkenhead*  
Chain Cables and Anchors, 1676

LAMBERT, Mr. N. G., *Bucks*  
Ways and Means—Local Taxation—Lunatics,  
&c. 1181

*Land and House Owners, &c.—England—  
The Returns*

Question, Viscount Halifax; Answer, The  
Duke of Richmond April 28, 1259

**Landed Property (Ireland) Bill [H.L.]**  
(*The Earl of Bandon*)

l. Presented; read 1<sup>o</sup> May 4 (No. 53)

**Landlord and Tenant (Ireland) Act (1870)**  
**Amendment Bill** (*Mr. Nolan, Sir  
John Gray, Mr. Meldon, Mr. Tighe*)

c. Ordered; read 1<sup>o</sup> Mar 20 [Bill 20]

**Landlord and Tenant (Ireland) Act (1870)**  
**Amendment (No. 2) Bill**

(*Sir John Gray, Mr. Patrick Martin, Mr. Meldon,  
Mr. O'Sullivan*)

c. Ordered; read 1<sup>o</sup> Mar 30 [Bill 61]

**Land Tax**

Moved, "That, in the opinion of this House,  
the Land Tax ought to be assessed on the  
Poors Rate valuation thereof now in force  
instead of on the original valuation" (*Mr.  
Eyton*) April 14, 545; [The Motion not  
being seconded was not put]

**Land Tax Commissioners Names Bill**

(*Mr. William Henry Smith, Mr. Chancellor of  
the Exchequer*)

c. Ordered; read 1<sup>o</sup> April 20 [Bill 76]

**Land Titles and Transfer Bill [H.L.]**  
(*The Lord Chancellor*)

l. Presented; read 1<sup>o</sup>, after short debate Mar 26,  
330 (No. 17)

Read 2<sup>o</sup> April 23, 980

Committee, after short debate May 5, 1667  
(No. 54)

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*Law and Justice—Judicature and Appeal*

*Irish and Scotch Appeals*, Question, Sir George Bowyer ; Answer, Mr. Disraeli *May 4, 1881* ; Question, Sir George Bowyer ; Answer, The Attorney General for Ireland *May 5, 1876*

*Judicature Commission—Reports*, Question, Mr. Whitwell ; Answer, Mr. Assheton Cross *Mar 27, 1849*

*Judicature (Ireland) Bill*, Question, Sir Colman O'Loughlen ; Answer, The Attorney General for Ireland *May 1, 1495*

*The Judicature Act, 1873—Postponement*, Question, Mr. Watkin Williams ; Answer, The Attorney General *April 21, 1924*

[See titles *Supreme Court of Judicature Act (1873) Amendment Bill—Court of Judicature (Ireland) Bill*]

**LAWRENCE, Lord**

India—Bengal Famine, Address for Papers, 1090

**LAWRENCE, Alderman Sir J. C., Lambeth**

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Crystal Palace—Licensing Act, 1880 ;—(Spiritous Liquors Licence), Motion for Papers, 2022, 2023, 2024

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**Leases and Sales of Settled Estates Bill**

(Mr. Gregory, Sir John Kennaway, Mr. Lopes)

c. Ordered ; read 1<sup>o</sup> \* *Mar 20* [Bill 8]

**LEFEVRE, Mr. G. J. Shaw, Reading**

Board of Trade (Marine Department), 1690

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**Legal Departments Commission—The Report**

Question, Mr. Trevelyan ; Answer, Mr. Assheton Cross *April 27, 1180*

**Legal Practitioners Bill**

(Mr. Charley, Mr. Charles Lewis)

c. Ordered ; read 1<sup>o</sup> \* *Mar 20* [Bill 24]

**LEIGH, Lieut.-Colonel Egerton, Cheshire**

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Army—Cavalry Horses, 1834

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**LEITH, Mr. J. F., Aberdeen**

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**LENNOX, Lord H. G. C. G. (First Commissioner of Works), Chichester**

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**LIDDELL, Hon. H. G., Northumberland, S.**

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**Bill** (*Mr. Clare Read, Mr. Slater-Booth*)  
c. Ordered; read 1<sup>o</sup> *Mar* 30 [Bill 62]

**LOCKE, Mr. J., *Southwark***  
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(*Mr. Cawley, Mr. Hick, Mr. Wykeham Martin*)  
c. Ordered; read 1<sup>o</sup> *April* 23 [Bill 81]

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**LOPES, Mr. H. C., *Frome***  
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ment, 2R. 608

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kerne, Scheme for, Motion for an Address,  
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**MACDONALD, Mr. A., *Stafford***  
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924; Motion for a Return, 942  
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**MACDUFF, Viscount, *Elgin and Nairn***  
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**MACGREGOR, Mr. D. R.,** *Leith, &c.*  
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**McKENNA, Sir J. N.,** *Youghal*  
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**Magdalen Hall Property Bill** [H.L.]  
(*The Marquess of Salisbury*)  
l. Presented; read 1<sup>st</sup> Mar 19 (No. 3)

**MAITLAND, Mr. J.,** *Kirkcudbrightshire*  
Game Laws (Scotland), 2R. 1385

**MAKINS, Lieut.-Colonel W. T.,** *Essex, S.*  
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**MALMESBURY, Earl of** (Lord Privy Seal)  
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**Malt Tax**  
Amendt. on Committee of Supply April 23,  
To leave out from "That," and add "in the opinion of this House, the Malt Tax ought to be reduced" (*Mr. Joshua Fielden*) v., 1021;  
Question proposed, "That the words, &c.;"  
after short debate, Question put; A. 244,  
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**MANNERS, Right Hon. Lord J. J. R.**  
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**MANNERS, Right Hon. Lord J. J. R.—cont.**  
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**Marine Mutiny Bill**  
(*Mr. Raikes, Mr. Hunt, Mr. Algernon Egerton*)  
c. Ordered; read 1<sup>st</sup> Mar 31  
Read 2<sup>nd</sup> Apr 13  
Committee\*; Report April 16  
Considered\* April 17

**MARLBOROUGH, Duke of**  
Public Worship Regulation, 2R. 1146

**Marriages Legalization (St. John the Evangelist's Chapel in the parish of Shustock) Bill** [H.L.]  
(*The Bishop of London*)  
l. Presented; read 1<sup>st</sup> April 28 (No. 45)

**Marriages Legalization (St. Paul's Church at Pooley Bridge) Bill** [H.L.]  
(*The Bishop of Carlisle*)  
l. Presented; read 1<sup>st</sup> April 27 (No. 42)

**Married Women's Property Act (1870) Amendment Bill**  
(*Mr. Morley, Sir John Lubbock, Sir Charles Mills*)  
c. Ordered; read 1<sup>st</sup> Mar 20 [Bill 12]  
Moved, "That the Bill be now read 2<sup>nd</sup>"  
April 15, 607  
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Alfred Marten*):  
after short debate, Question, "That 'now,' &c.," put, and agreed to; main Question put, and agreed to; Bill read 2<sup>nd</sup>  
Order for Committee read, and discharged\*;  
Bill committed to a Select Committee April 24; List of the Committee, 1145

**MARTEN, Mr. A. G.,** *Cambridge*  
Married Women's Property Act (1870) Amendment, 2R. Amendt. 609  
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**MAXWELL, Sir W. STIRLING-** *Porth-shire*  
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**MELDON, Mr. C. H.,** *Kildare*  
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**MELLOR, Mr. T. W., Ashton-under-Lyne**  
Civil Service Estimates—Public Offices Furniture, 485  
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**MELLY, Mr. G., Stoke-upon-Trent**  
Intoxicating Liquors, Leave, 1237, 1244, 1841  
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**Mercantile Marine**

*Casualty to Pilgrims*, Question, Mr. Whitwell ; Answer, Sir Charles Adderley Mar 27, 346  
*Passenger Ships*, Question, Mr. Cowper-Temple ; Answer, Sir Charles Adderley May 7, 1838  
*Saving Life from Shipwreck—Mr. Rogers' Plan*, Question, Mr. Hanbury-Tracy ; Answer, Sir Charles Adderley April 30, 1409

**Merchant Shipping Acts**

*Compulsory Pilotage*, Question, Mr. Bentinck ; Answer, Sir Charles Adderley April 27, 1178  
*Stranding of the "Kron Prinz,"* Question, Mr. Wait ; Answer, Sir Charles Adderley April 17, 712  
*The "Ellen Constance" and the "Vittoria,"* Question, Mr. Bentinck ; Answer, Sir Charles Adderley April 17, 711  
*Unseaworthy Vessels*, Question, Mr. Gourley ; Answer, Sir Charles Adderley April 13, 495

**Merchant Shipping Survey Bill**

(Mr. Plimsoll, Mr. Roebuck, Mr. Samuda, Mr. Kirkman Hodgson, Mr. Horsman)

c. Considered in Committee ; Resolution agreed to, and reported ; Bill ordered ; read 1<sup>o</sup> Mar 20 [Bill 11]

**METROPOLIS**

*Bethnal Green Museum*, Question, Mr. Ritchie ; Answer, Lord Henry Lennox April 14, 542  
*Hyde Park and Kensington Gardens*, Question, Mr. Thompson ; Answer, Lord Henry Lennox April 20, 818  
*Hyde Park Corner*, Question, Mr. Goldsmid ; Answer, Lord Henry Lennox ; Observations, Mr. Adam ; Reply, Colonel Hogg Mar 27, 347  
*Labourers' Dwellings, Somers Town*, Question, Sir Sydney Waterlow ; Answer, Mr. Assheton Cross April 20, 814

**National Gallery**

*The Central Octagon Hall*, Question, Mr. Wait ; Answer, Lord Henry Lennox April 16, 629  
*The New Buildings*, Question, Mr. Cowper-Temple ; Answer, Lord Henry Lennox April 14, 541 ; Question, Mr. Wait ; Answer, Mr. Disraeli April 30, 1409 ; Question, Major Beaumont ; Answer, Lord Henry Lennox May 8, 1928

*Parliament Street—The New Public Offices*, Question, Mr. Goldsmid ; Answer, Lord Henry Lennox Mar 27, 344

*Sewers at the West End*, Question, Sir Charles Russell ; Answer, Colonel Hogg May 7, 1839 ; Question, Lord Claud John Hamilton ; Answer, Colonel Hogg Mar 30, 407

**METROPOLIS—cont.**

*Thames Embankment*, Question, Mr. Forsyth ; Answer, Mr. W. H. Smith April 16, 631 ; —*Access from the Strand*, Question, Sir George Jenkinson ; Answer, Colonel Hogg April 16, 632  
*The Abbey and Palace at Westminster*, Question, Mr. W. M. Torrens ; Answer, Lord Henry Lennox May 4, 1159  
*The Vacant Land in Abingdon Street*, Question, Sir Charles Russell ; Answer, Lord Henry Lennox April 20, 814  
*Victoria Park—Sale of Building Land*, Question, Mr. Samuda ; Answer, Mr. W. H. Smith April 14, 541 ; April 21, 928  
*Wormwood Scrubs*, Question, Sir Charles W. Dilke ; Answer, Mr. Gathorne Hardy Mar 23, 230 ; Question, Sir Charles W. Dilke ; Answer, Colonel Hogg April 16, 629

**Metropolis Water Supply and Fire Prevention Bill** (Colonel Beresford, Sir Charles Russell, Mr. Forsyth, Mr. Ritchie)

c. Ordered ; read 1<sup>o</sup> Mar 31 [Bill 64]

**Metropolitan Board of Works Bill (by Order)**

c. Moved, "That the Bill be now read 2<sup>o</sup>" (Colonel Hogg) Mar 30, 399  
After short debate, Amendt. to leave out "now," and add "upon this day six months" (Mr. W. M. Torrens) ; after further short debate, Question, "That 'now,' &c.," put, and agreed to ; main Question put, and agreed to ; Bill read 2<sup>o</sup>

**Metropolitan Buildings and Management Bill**

(Colonel Hogg, Mr. Grantham, Sir Henry Wolff)

c. Ordered ; read 1<sup>o</sup> Mar 20 [Bill 3]  
Bill read 2<sup>o</sup>, after short debate, and committed to a Select Committee April 29, 1344  
List of the Committee May 7, 1903

**Metropolitan Police—Ex-Constable Goodchild**

Question, Sir Charles W. Dilke ; Answer, Mr. Assheton Cross April 16, 625

**Mexico, Diplomatic Relations with**

Question, Mr. Anderson ; Answer, Mr. Bourke May 7, 1838

**Middlesex Sessions [Salaries, &c.] Bill**

(Mr. Raikes, Mr. Secretary Cross, Sir Henry Selwin-Ibbetson)

c. Resolutions [March 21] reported ; Bill ordered ; read 1<sup>o</sup> Mar 23 [Bill 29]  
Read 2<sup>o</sup> Mar 26, 340  
Committee ; Report Mar 27  
Considered Mar 30  
Read 3<sup>o</sup> Mar 31  
l. Read 1<sup>o</sup> (Earl Beauchamp) April 14 (No. 22)  
Read 2<sup>o</sup> April 16, 622

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**MILLS, Sir C. H., *Kent, W.***

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**MILLS, Mr. A., *Exeter***

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West African Settlements, Res. Motion for Adjournment, 1225, 1593

***Mines—Reports of the Inspectors (1873)***

Question, Mr. Macdonald; Answer, Mr. Assheton Cross April 27, 1177

***Mint, The Royal—Coinage of Half-Crowns and Florins***

Question, Mr. Heygate; Answer, The Chancellor of the Exchequer Mar 24, 268

**Monastic and Conventual Institutions Bill**

(*Mr. Newdegate, Sir Thomas Chambers, Mr. Holt*)

c. Ordered; read 1<sup>o</sup> Mar 24 [Bill 38]

Question, Mr. Callan; Answer, Mr. Newdegate April 24, 1097

Order for 2R. postponed May 1, 1563

Questions, Mr. Newdegate; Answers, Mr. Bourke, Sir Colman O'Loughlin May 7, 1842

**MONCREIFF, Lord**

Judicature and Appeal (Scotland and Ireland), 1R. 1826

**MONK, Mr. C. J., *Gloucester City***

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**MONTAGU, Right Hon. Lord R., *Westmeath***

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**MORGAN, Mr. G. Osborne, *Denbighshire***

Parliament—Business of the House (Opposed Business), Res. Amendt. 274, 285

**MORLEY, Earl of**

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**MORLEY, Mr. S., *Bristol***

Married Women's Property Act (1870) Amendment, 2R. 607, 614

**MORRIS, Mr. G., *Galway***

Army—Galway New Barracks, 267  
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**MOWBRAY, Right Hon. J. R., *Oxford University***

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Parliament—Business of the House (Opposed Business), Res. 283

**MUNDELLA, Mr. A. J., *Sheffield***

Adulteration Act, 345, 627

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Factory Acts Amendment, 2R. 1740, 1803

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Parliament—Business of the House (Opposed Business), Res. 282

Parliamentary Elections (Polling), 2R. 303

**Municipal Boroughs (Auditors and Assessors) Bill**

(*Mr. Dodds, Mr. Pease, Mr. Richardson*)

c. Ordered; read 1<sup>o</sup> Mar 27 [Bill 54]

**Municipal Elections Bill**

(*Mr. Gourley, Mr. Whitwell, Sir Henry Havelock, Mr. Richardson*)

c. Ordered; read 1<sup>o</sup> April 27 [Bill 84]

**Municipal Franchise (Ireland) Bill**

(*Mr. Butt, Sir John Gray, Mr. Bryan,*

*Mr. P. J. Smyth*)

c. Ordered; read 1<sup>o</sup> Mar 23 [Bill 34]

Moved, "That the Bill be now read 2<sup>o</sup>" April 17, 777

Amendt. to leave out "now," and add "upon this day six months" (*Mr. Vance*); after short debate, Question put, "That 'now,' &c.;" A. 88, N. 125; M. 37

Words added; main Question, as amended, put, and agreed to; 2R. put off for six months

**Municipal Privileges (Ireland) Bill**

(*Mr. Butt, Sir John Gray, Mr. Bryan,*

*Mr. P. J. Smyth*)

c. Ordered; read 1<sup>o</sup> Mar 23 [Bill 33]

2R. deferred, after short debate Mar 26, 341

Bill read 2<sup>o</sup>, after debate April 21, 945

Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" April 28, 1342

**Municipal Privileges (Ireland) Bill—cont.**

Amendt. to leave out from "That," and add "the Bill be committed to a Select Committee" (*Sir Michael Hicks-Beach*) v.; Question proposed, "That the words, &c.;" after short debate, Question put, and negatived

Words added; main Question, as amended, put, and agreed to; Bill committed to a Select Committee; List of the Committee, 1343

**MUNTZ, Mr. P. H., Birmingham**

Game Laws (Scotland), 2R. 1388

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Ways and Means—Financial Statement, Res. 3, 696

West African Settlements, Res. 1640

**Mutiny Bill (Mr. Raikes, Mr. Secretary Hardy, The Judge Advocate)**

c. Ordered; read 1<sup>o</sup> \* Mar 31

Read 2<sup>o</sup> \* April 13

Committee; Report April 16, 700

Considered \* April 17

**NAGHTEN, Mr. A. R., Winchester**

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**NAPIER AND ETTRICK, Lord**

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**Natal—The Late Kaffir Outbreak**

Question, Mr. Edward Jenkins; Answer, Mr. J. Lowther Mar 24, 266

**National Debt, State of the**

Question, Mr. Cubitt; Answer, The Chancellor of the Exchequer April 27, 1176

**National Museums—Report of the Science Commission**

Question, Mr. Walpole; Answer, Mr. Mundella Mar 24, 269

**NAVY**

*Admiralty Surgeons—Medical Officers' List*, Question, Mr. Alderman W. M'Arthur; Answer, Mr. Hunt May 4, 1586

*H.M.S. "Devastation,"* Question, Mr. Samuelson; Answer, Mr. Hunt April 28, 1261

*H.M.S. "London,"* Question, Mr. Kinnaird; Answer, Mr. Algernon Egerton Mar 30, 410

*Naval Reserve*, Observations, Mr. T. Brassey; Reply, Mr. Hunt; debate thereon April 17, 724

*State of the Navy*, Observations, The Earl of Lauderdale; Reply, The Earl of Malmesbury; short debate thereon Mar 23, 210

**NAVY—cont.**

*The Dockyards*, Observations, Admiral Elliot; Reply, Mr. Hunt; debate thereon April 20, 819

*The Indian Station*, Question, Mr. T. E. Smith; Answer, Lord George Hamilton April 16, 630

*Trial of Anchors*, Question, Mr. G. Bentinck; Answer, Mr. Hunt Mar 31, 484

**Navy—Unarmoured and Iron-clad Ships**

Postponement of Motion, Sir John Hay April 20, 818

Amendt. on Committee of Supply May 7, To leave out from "That," and add "in the opinion of this House, it is undesirable to incur expense to build Unarmoured Ships of a speed of less than ten knots, and that it is expedient that the money appropriated to their construction be applied to the necessary repairs of the Ironclad Ships of the Navy" (*Sir John Hay*) v., 1846; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

**NELSON, Earl**

Public Worship Regulation, 1R. 802, 1921

**NEVILLE-GRENVILLE, Mr. R., Somersetshire, Mid**

Metropolis—Dwellings of Working People, Res. 1980

Municipal Privileges (Ireland), 2R. 950

Nuisances Prevention Act—Inspectors of Nuisances—The Police, 1408

Supply—Charity Commission, 770

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**NEWDEGATE, Mr. C. N., Warwickshire, N.**

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**NEWPORT, Viscount, Shropshire, N.**

Ways and Means, Report, 1198

**NOLAN, Captain J. P., Galway Co.**

Army—Staff Officers—Queen's Regulations, 630, 925

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**NORTH, Lieut-Colonel J. S., *Oxfordshire***  
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 Ashantee War—Vote of Thanks to the Forces, 430

**NORTHCOTE, Right Hon. Sir S. H.**  
 (see Chancellor of the Exchequer)

**NORWOOD, Mr. C. M., *Kingston-upon-Hull***  
 Board of Trade (Marine Department), 1698  
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***Nuisances Prevention Act—Inspectors of Nuisances—The Police***  
 Question, Mr. Neville-Grenville; Answer, Mr. Assheton Cross April 30, 1408

**O'BRIEN, Sir P., *King's Co.***  
 East India Finance, Comm. 1490  
 Peace Preservation (Ireland) Act—"Flag of Ireland" Newspaper, 1553, 1554

**O'CALLAGHAN, Hon. W. F. O., *Tipperary Co.***  
 Ireland—Denominational Education, 923

***Ocean Highways***  
 Question, Mr. Anderson; Answer, Sir Charles Adderley Mar 26, 335

**O'CLERY, Mr. K., *Wexford Co.***  
 Spain—Civil War—Recognition of Belligerent Rights, 494

**O'CONOR DON, The, *Roscommon Co.***  
 Game Birds (Ireland), Comm. cl. 1, 1338  
 Intoxicating Liquors in Ireland, Sale of, on a Sunday, Res. 2007, 2008

**O'CONOR, Mr. D. M., *Sligo Co.***  
 Ballot Act, 374  
 Game Birds (Ireland), 2R. Amendt. 616; Comm. cl. 1, 1338

**O'DONNELL, Mr. F. H., *Galway***  
 India—Bengal Famine, 483, 711; Res. 933, 941  
 India—Telegraphic Correspondence, 928  
 Municipal Franchise (Ireland), 2R. 784  
 Suez Canal—International Commission, 1408

**O'DONOGHUE, The, *Tralee***  
 Parliament—Address in Answer to the Speech, 170

## Offences against the Person Bill

(Mr. Charley, Mr. Whitwell, Mr. Edward Davenport)

c. Ordered; read 1<sup>o</sup> Mar 20 [Bill 13]  
 Bill read 2<sup>o</sup>, after debate April 13, 538  
 Order for Committee read, and discharged;  
 Bill committed to a Select Committee April 27; List of the Committee, 1255

**O'GORMAN, Major P., *Waterford***  
 Intoxicating Liquors in Ireland, Sale of, on a Sunday, Res. 2020  
 Irish Railways—Acquisition and Control of, Res. 1331

**O'HAGAN, Lord**  
 Judicature and Appeal (Scotland and Ireland), 1R. 1829  
 Land Titles and Transfer, 2R. 982; Comm. 1670

**O'LOGHLEN, Right Hon. Sir C. M., *Clare Co.***  
 Controverted Elections (Ireland)—Mr. Justice Lawson, 1581, 1582; Res. 1884  
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**ONSLOW, Mr. D. R., *Guildford***  
 India—Bengal Famine, 109

**ORANMORE AND BROWNE, Lord**  
 Railways, Ireland—Guarantees from County Rates, 1404

***Ordnance Survey***  
*Hertfordshire*, Question, Mr. A. Smith; Answer, Lord Henry Lennox May 8, 1926  
*Merioneth*, Question, Mr. Holland; Answer, Lord Henry Lennox May 4, 1587  
*The 25-inch Scale*, Question, Mr. Ryder; Answer, Lord Henry Lennox April 20, 816

**O'REILLY, Mr. M. W., *Longford Co.***  
 Army Reserves, Res. 508  
 Irish Railways—Acquisition and Control of, Res. 1332, 1333

**O'SHAUGHNESSY, Mr. R., *Limerick***  
 Revenue Officers Disabilities, 2R. 964

## Outlawries Bill

c. Read 1<sup>o</sup> Mar 19

## Oyster and Mussel Fisheries Orders Confirmation Bill [H.L.]

(The Lord Dunmore)

l. Presented; read 1<sup>o</sup> April 27 (No. 36)

**PALK, Sir L., *Devonshire, E.***  
 Ways and Means, Report, 1190

**PALMER, Mr. C. M.,** *Durham, N.*

Navy—Naval Reserve, 751

Singapore Emigration Act, 484

## Parliament

### LORDS—

**MEETING OF THE PARLIAMENT** *Mar 5, 1*

The PARLIAMENT opened by Commission

Certificate of the Election of Sixteen Representative Peers for Scotland delivered and read *Mar 5, 3*

**ROLL OF THE LORDS**—Garter King of Arms attending, delivered at the Table (in the usual Manner) a List of the Lords Temporal in the First Session of the Twenty-first Parliament of the United Kingdom *Mar 5, 4*

**ROLL OF THE LORDS**—The Lord Chancellor acquainted the House that the Clerk of the Parliaments had prepared and laid it on the Table: The same was ordered to be printed *Mar 23 (No. 5)*

**The Royal Commission**—Speaker of the House of Commons, presented and approved *Mar 6, 15*;—Issue of Writs *Mar 8, 18*

**Her Majesty's Most Gracious Speech** delivered by The LORD CHANCELLOR *Mar 19, 22*

**AN ADDRESS TO HER MAJESTY** thereon moved by The Marquess of LOTHIAN (the Motion being seconded by The Earl CADOGAN), and, after debate, agreed to, *Nemine Dissentiente* *Mar 19, 26*

**HER MAJESTY'S ANSWER TO THE ADDRESS** reported *Mar 20, 92*

**Chairman of Committees**—The Lord Redesdale appointed, *Nemine Dissentiente*, to take the Chair in all Committees of this House for this Session *Mar 19*

Moved that the Viscount Eversley be appointed to take the chair in the Committees of the Whole House in the absence of the Lord Redesdale from illness, unless where it shall have been otherwise directed by the House; agreed to *April 23*

**Committee for Privileges**—appointed *Mar 19*

**Sub-Committee for the Journals**—appointed *Mar 19*

**Appeal Committee**—appointed *Mar 19*

**Receivers and Tryers of Petitions**—appointed *Mar 19*

**Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod**—Select Committee appointed *Mar 23*; List of the Committee, 227

### Private Bill Legislation

Orders in relation to Petitions *Mar 19, 51*; *Mar 23, 226*; *Mar 24, 255*

Ordered, That no Private Bill brought from the House of Commons shall be read a second time after Thursday the 18th day of June next [And other Orders] *May 1, 1491*

**Opposed Private Bills**—Committee appointed *Mar 23*; List of the Committee, 227

**Private Bills**—Standing Order Committee on, appointed *Mar 23*; List of the Committee, 227

**Easter Recess**, House adjourned on Monday, 30th March, to Tuesday, 14th April

[cont.]

## PARLIAMENT—cont.

### COMMONS—

**MEETING OF THE PARLIAMENT** *Mar 5*

A Book containing a List of the Names of the Members returned to serve in Parliament delivered to Sir Thomas Erskine May by Charles Romilly, Esquire, Clerk of the Crown in Chancery in Great Britain

**Message from The Lords Commissioners** *Mar 5*

The House went up to the House of Peers; and being returned—The House proceeded to the—

**Election of a Speaker**—The Right Honourable Henry Brand unanimously called to the Chair *Mar 5, 5*

Mr. Speaker reported Her Majesty's Approval, and took and subscribed the Oath—with other Members *Mar 6, 17*

**Committee for Privileges**—appointed *Mar 9, 20*

**Chairman of Committees**—On Motion of Mr. Disraeli, Mr. Cecil Raikes takes the Chair of the Committee of Supply *Mar 21*

**The Royal Commission**—Issue of Writs *Mar 9*

**Adjournment of the House** *Mar 9, 19*

**The QUEEN'S SPEECH** reported; An humble Address thereon moved by Sir WILLIAM STIRLING-MAXWELL (the Motion being seconded by Mr. CALLENDER) *Mar 19, 55*

**Amendt. proposed**, at the end of the sixth paragraph, to add, "And that, conscious of the obligation of Parliament to take especial care of the condition of India, we desire to assure Your Majesty of the interest and anxiety with which we shall be ready to consider any measure that may be brought before us tending to mitigate the distress which now prevails in that portion of the Empire, and to avert such calamity in future" (*Mr. Torrens*), 68; Question proposed, "That those words be there added;" after debate, Amendt. withdrawn; main Question put, and agreed to, and a Committee appointed to draw up the said Address

**Report of Address** brought up and read *Mar 20, 110*

**Address read a second time**; Amendt. proposed, at the end of the eighth paragraph, to add "We also think it right humbly to represent to Your Majesty that dissatisfaction prevails very extensively in Ireland with the existing system of Government in that Country, and that complaints are made that under that system the Irish people do not enjoy the full benefits of the Constitution or of the free principles of the Law; and we humbly assure Your Majesty that we shall regard it as the duty of Parliament, on the earliest opportunity, to consider the origin of this dissatisfaction, with a view to the removal of all just causes of discontent" (*Mr. Butt*); Question proposed, "That those words be there added;" after debate, Question put; A. 50, N. 314; M. 264; Address agreed to; to be presented by Privy Councillors Division List, Ayes and Noes, 171

**Her Majesty's Answer to the Address** reported *Mar 23, 228*

[cont.]

# **Parliament—Commons—cont.**

**Public Accounts**—Committee nominated; List of the Committee *Mar 20, 189*;—*Reports of the Auditor General*, Question, Mr. Dillwyn; Answer, The Chancellor of the Exchequer *April 23, 1897*  
**Printing**—Select Committee appointed; List of the Committee *Mar 20, 189*  
**Kitchen and Refreshment Rooms (House of Commons)**—Standing Committee appointed; List of the Committee *Mar 20, 189*  
**Public Petitions**—Select Committee appointed and nominated; List of the Committee *Mar 24, 1888*

## **Business of the House**

Questions, Mr. Newdegate, Mr. Beresford Hope; Answers, Mr. Disraeli *Mar 20, 109*; Questions, Mr. Goschen, Mr. Horsman; Answers, Mr. Disraeli, The Chancellor of the Exchequer *April 24, 1098*; Question, Mr. Newdegate; Answer, Mr. Disraeli *May 1, 1497*  
*The Resolutions of 1872*, Question, Mr. Whitwell; Answer, Mr. Dodson *Mar 26, 339*  
**Easter Recess**, House adjourned on Tuesday, 31st March, to Monday, 13th April  
*The Whitsuntide Recess*, Question, Mr. Newdegate; Answer, Mr. Disraeli *April 30, 1411*

## **Palace of Westminster**

*The Light in the Clock Tower*, Question, Mr. James; Answer, Lord Henry Lennox *April 21, 926*  
*Subway to the House of Commons*, Question, Mr. Grieve; Answer, Lord Henry Lennox *April 20, 817*

# **Parliament—Business of the House (Opposed Business)**

Moved, "That, except for a Money Bill, no Order of the Day or Notice of Motion be taken after half-past Twelve of the clock at night, with respect to which Order or Notice of Motion a Notice of Opposition or Amendment shall have been printed on the Notice Paper, or if such Notice of Motion shall only have been given the next previous day of sitting, and objection shall be taken when such Notice is called" (*Mr. Heygate*) *Mar 24, 270*

Amendt. to leave out from "That," and add "in the opinion of this House, the time allotted by the Rules of the House to the consideration of Bills introduced by private Members is already insufficient for the due discussion of the same and ought not to be further restricted" (*Mr. Osborne Morgan*) *v.*; after debate, Question, "That the words, &c.," put, and agreed to

Main Question proposed; Amendt. to add, at the end thereof, "Provided, that this Rule shall not apply to any Bill which has passed through Committee of the House" (*Mr. Dillwyn*); after further short debate, Question put, "That those words be there added;" A. 275, N. 113; M. 162; main Question, as amended, agreed to

# **Parliament—Controverted Elections—Judges' Reports**

*Borough of Taunton* *Mar 19, 54* (P. P. 74)  
*County of Renfrew* *April 13, 493*  
*Kidderminster, Hackney* *April 16, 624*  
*Ayr Burghs, Isle of Wight* *April 17, 710*  
*Stockport* *April 20, 811*  
*New Windsor* (P. P. 152), *Wakefield, Athlone* *April 27, 1173* (P. P. 144)  
*County of Leitrim* *April 30, 1406*  
*Borough of Barnstaple* *May 1, 1493*  
*Stroud, Dudley* *May 4, 1680*  
*County of Mayo* *May 7, 1834* (P. P. 165)

# **Parliament—Controverted Elections—Galway Election Petition—Mr. Justice Lawson**

Question, Sir Colman O'Loughlen; Answer, Mr. Disraeli *May 4, 1581*  
 Amendt. on Committee of Supply *May 7*, To leave out from "That," and add "this House is of opinion that a Judge of one of Her Majesty's Superior Courts of Common Law, who may accept and hold an office at the pleasure of the Crown, should not, while holding such office, act as an Election Judge under 'The Parliamentary Elections Act, 1868'" (*Sir Colman O'Loughlen*) *v.*, 1884; Question proposed, "That the words, &c.:" after debate, Question put, and agreed to

# **Parliament—Controverted Elections—Stroud Writ**

Orders of the Day postponed (*Mr. Disraeli*) *May 8, 1928*  
 Moved, "That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of Members to serve in this present Parliament for the Borough of Stroud, in the room of Sebastian Stewart Dickinson, esquire, and Walter John Stanton, esquire, whose Election has been determined to be void" (*Lord Kensington*) *May 8, 1928*

Amendt. to leave out from "That," and add "no new Writ for the electing of Members to serve in this present Parliament for the Borough of Stroud be issued until after the shorthand writer's notes of the Evidence and Judgment have been laid before this House" (*Mr. Charles Lewis*) *v.*; Question proposed, "That the words, &c.:" after debate, Amendt. withdrawn; main Question put, and agreed to

# **Parliament—New Writs**

Moved, That, where any Election has been declared void, under the Parliamentary Elections Act of 1868, and the Judge has reported that any person has been guilty of bribery and corrupt practices, no Motion for the issuing of a new Writ shall be made without two days' previous notice being given in the Votes" (*Mr. Anderson*) *April 30, 1488*; Motion agreed to  
 Observations, Question, Mr. Roebuck; Reply, Mr. Speaker; short debate thereon *May 7, 1843*  
 Motion for New Writs, Question, Mr. Anderson; Answer, Mr. Speaker *April 28, 1262*

*Parliament—Falkirk District of Burghs*  
Letter from John Ramsay, esquire, read  
Mar 19, 54

*Parliament—Privilege—Committal of a  
Member by the Court of Queen's Bench  
for Contempt*

Mr. Speaker acquainted the House, that he had  
received a Letter from the Lord Chief Jus-  
tice of England, which Mr. Speaker read to  
the House Mar 19, 52

A Select Committee appointed thereon Mar 20,  
101; List of the Committee, 108

The Select Committee to consist of Seventeen  
Members (*Mr. Disraeli*) Mar 26, 341;  
after short debate, Members added

Report of the Select Committee Mar 31,  
480 [No. 77]

*Parliament—The Dissolution and General  
Election*

Amendt. on Committee of Supply April 24,  
To leave out from "That," and add "in the  
opinion of this House, the advice given to  
the Crown by Her Majesty's late Ministers  
to dismiss the last Parliament upon the 26th  
January last, in an abrupt manner and with-  
out any previous warning, at a time when  
both Houses had been summoned to meet for  
the despatch of public business, and when no  
emergency had arisen for such a step, is cen-  
surable; and further, that the precipitate  
appeal to the Constituencies consequent on  
such Dissolution is opposed to the spirit of  
the Constitution" (*Mr. Smollett*) v., 1101;  
after debate, Question, "That the words,  
&c.," put, and agreed to

# PARLIAMENT—HOUSE OF COMMONS

*Twentieth Parliament of the United  
Kingdom*

*Writs Issued in Pursuance of the Speaker's  
Warrant during the Recess, and the Names  
of the Persons Returned in Compliance  
therewith*

*New Writs Issued*

1873

Aug. 18—For Yorkshire (West Riding, North-  
ern Division), v. Lord Frederick  
Charles Cavendish, Lord of the  
Treasury

Aug. 21—For Shaftesbury, v. George Grenfell  
Glyn, now Lord Wolverton

Sept. 1—For Renfrew, v. Right Hon. Henry  
Austin Bruce, created Baron Aber-  
dare

Sept. 15—For Dover, v. Right Hon. Sir George  
Jessel, knight, Master of the Rolls

Oct. 2—For Bath, v. Donald Dalrymple, esquire,  
deceased

Oct. 6—For Taunton, v. Henry James, esquire,  
Attorney General

Oct. 13—For Birmingham, v. Right Hon. John  
Bright, Chancellor of the Duchy of  
Lancaster

PARLIAMENT—COMMONS—New Writs Issued—  
cont.

Oct. 13—For Kingston-on-Hull, v. James Clay,  
esquire, deceased

Nov. 13—For Haverfordwest, v. Lord Kensing-  
ton, Comptroller of the Household

Nov. 27—For Edinburgh University, v. Lyon  
Playfair, esquire, Postmaster Gen-  
eral

Dec. 1—For Oxford City, v. William George  
Granville Venables Vernon Har-  
court, esquire, Solicitor General

Dec. 1—For Exeter, v. Sir John Duke Coleridge,  
knight, Chief Justice of the Com-  
mon Pleas

Dec. 11—For Huntingdon, v. Thomas Baring,  
esquire, deceased

Dec. 22—For Cambridge, v. Charles Philip  
Yorke, Viscount Royston

Dec. 29—For Stroud, v. Henry Selfe Page  
Winterbotham, esquire, deceased

1874

Jan. 1—For Somersetshire (Western Division),  
v. Henry Powell Gore Langton,  
esquire, deceased

Jan. 5—For Newcastle, v. Sir Joseph Cowen,  
deceased

*New Members Returned*

1873

Aug. 27—Lord Frederick Charles Cavendish,  
Yorkshire (West Riding, Northern  
Division)

Aug. 30—Vere Fane Benett-Stanford, esquire,  
Shaftesbury

Sept. 13—Archibald Campbell Campbell, es-  
quire, Renfrew

Sept. 23—Edward William Barnett, esquire,  
Dover

Oct. 9—Arthur Divett Hayter esquire, Bath

Oct. 14—Henry James, esquire, Taunton

Oct. 20—Right Hon. John Bright, Birmingham

Oct. 24—Joseph Walter Pease, esquire, King-  
ston-on-Hull

Nov. 28—William Lord Kensington, Haver-  
fordwest

Dec. 4—Lyon Playfair, esquire, Edinburgh  
University

Dec. 6—William George Granville Venables  
Vernon Harcourt, esquire, Oxford  
City

Dec 11—Arthur Mills, esquire, Exeter

Dec. 20—Sir John Burgess Karalake, knight,  
Huntingdon

1874

Jan. 3—Hon. Eliot Constantine Yorke, Cam-  
bridge

Jan. 8—John Edward Dorington, esquire,  
Stroud

Jan. 12—Vaughan Hanning Lee, esquire, Som-  
ersetshire (Western Division)

Jan. 17—Joseph Cowen, esquire, Newcastle

*Twenty-first Parliament of the United  
Kingdom*

LORDS—

*New Peers*

Mar 6—The Right Hon. Sir Thomas Fre-  
mantle, baronet, created Baron  
Cottesloe

PARLIAMENT—LORDS—*New Peers*—cont.

*Mar 10*—The Right Hon. Sir John Somerset Pakington, baronet, G.C.B., created Baron Hampton of Hampton Lovett and of Westwood in the county of Worcester

The Right Hon. Edward Cardwell, created Viscount Cardwell of Ellerbeck in the County Palatine of Lancaster

The Right Hon. Henry Austin Bruce, created Baron Aberdare of Duffryn, county Glamorgan

The Right Hon. Chichester Samuel Parkinson Fortescue, created Baron Carlingford of Carlingford, county Louth

George Henry Charles Byng, esquire, (commonly called Viscount Enfield,) summoned by Writ to the House of Lords in his Father's Barony of Strafford of Harmondsworth, county Middlesex

*Mar 19*—The Earl of Breadalbane, created Baron Breadalbane of Kenmore, county Perth

The Right Hon. William Monsell, created Baron Emly of Jervoe, county Limerick

The Right Hon. John Wilson Patten, created Baron Winmarleigh of Winmarleigh, County Palatine of Lancaster

*Mar 20*—John Robert Viscount Sydney, G.C.B., created Earl Sydney of Soadbury, county Kent

*Mar 26*—The Marquess of Westminster, K.G., created Duke of Westminster

*April 20*—The Right Hon. Sir James Moncreiff, baronet, created Baron Moncreiff of Tulliebole, county Kinross

*April 23*—The Right Hon. Sir John Duke Coleridge, knight, Chief Justice of Her Majesty's Court of Common Pleas, created Baron Coleridge of Ottery St. Mary, county Devon

*April 30*—Henry Thomas Baron Ravensworth, created Earl of Ravensworth of Ravensworth Castle in the County Palatine of Durham

*May 7*—The Hon. Edward Granville George Howard, esquire, Admiral on the Reserved Half-Pay List of Her Majesty's Fleet, created Baron Lanerton of Lanerton, county Cumberland

*Sat First*

*Mar 5*—The Earl of Pembroke and Montgomery, after the death of his Uncle

The Lord Annaly, after the death of his Father

The Earl Cadogan, after the death of his Father

*Mar 9*—The Lord Wolverton, after the death of his Father

The Earl of Onslow, after the death of his Great Uncle

*Mar 10*—The Lord De Ros, after the death of his Father

PARLIAMENT—LORDS—*Sat First*—cont.

*Mar 19*—The Lord De Clifford, after the death of his Great Uncle

The Earl of Hardwicke, after the death of his Father

*Mar 26*—The Lord Lyveden, after the death of his Father

*April 23*—The Lord Rayleigh, after the death of his Father

## COMMONS—

*New Writs Issued*

*Mar 9*—For Devon (Northern Division), v. Right Hon. Sir Stafford Henry Northcote, baronet, Chancellor of the Exchequer

For Northampton (Northern Division), v. Right Hon. George Ward Hunt, First Commissioner of the Admiralty

For Oxford University, v. Right Hon. Gathorne Hardy, Secretary of State

For Gloucester (Eastern Division), v. Right Hon. Sir Michael Edward Hicks-Beach, baronet, Chief Secretary to the Lord Lieutenant of Ireland

For Stafford (Northern Division), v. Right Hon. Sir Charles Bowyer Adderley, President of the Board of Trade

For Chichester, v. Lord Henry Lennox, First Commissioner of Works and Buildings

For Southampton (Northern Division), v. Right Hon. George Selat Booth, President of the Local Government Board

For Liverpool, v. Viscount Sandon, Vice President of the Committee of Council for Education

For Dublin County, v. Right Hon. Thomas Edward Taylor, Chancellor of the Duchy of Lancaster

For Shoreham, v. Right Hon. Stephen Cave, Judge Advocate General

For Huntingdon, v. Sir John Burgess Karlake, knight, Attorney General

For Surrey (Middle Division), v. Sir Richard Baggallay, knight, Solicitor General

For Trinity College (Dublin), v. Right Hon. John Thomas Ball, Attorney General for Ireland

For Glasgow and Aberdeen Universities, v. Edward Strathearn Gordon, esquire, Lord Advocate of Scotland

For Devon (Southern Division), v. Sir Massey Lopes, baronet, Commissioner of the Admiralty

For Portsmouth, v. Sir James Dalrymple Horn Elphinstone, baronet, Commissioner of the Treasury

For Lincoln (Northern Division), v. Rowland Winn, esquire, Commissioner of the Treasury

For Eye, v. Viscount Barrington, Vice Chamberlain of the Household

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PARLIAMENT—COMMONS—*New Writs Issued—*  
cont.

- For Northumberland (Northern Division), v. Earl Percy, Treasurer of the Household*  
*For Inverness-shire, v. Donald Cameron, esquire, of Lochiel, Groom in Waiting*  
*For Monmouth County, v. Lord Henry Somerset, Comptroller of the Household*  
*For Oxford City, v. Right Hon. Edward Cardwell, now Viscount Cardwell*  
**Mar 12—***For Buckinghamshire, v. Right Hon. Benjamin Disraeli, First Commissioner of the Treasury*  
*For Lancaster (South Western Division), v. Right Hon. Richard Assheton Cross, Secretary of State*  
*For Leicester (Northern Division), v. Right Hon. Lord John Manners, Postmaster General*  
*For Suffolk (Eastern Division), v. Viscount Mahon, Commissioner of the Treasury*  
*For Galway, v. Viscount St. Lawrence, now Earl of Howth*  
**Mar 19—***For Lancaster (Northern Division), v. Right Hon. John Wilson Patten, called to the House of Peers*  
*For Falkirk Burghs, v. John Ramsay, esquire, void Election*  
**Mar 23—***For Louth County, v. Philip Callan, esquire, elected to sit for Dundalk*  
**April 16—***For Hackney, v. John Holms, esquire, and Sir Charles Reed, knight, void Election*  
**April 17—***For Preston, v. John Holker, esquire, Solicitor General*  
**April 27—***For Wakefield, v. Edward Green, esquire, void Election*  
**May 7—***For Mayo County, v. Thomas Tighe, esquire, and George Ekins Browne, esquire, void Election*  
*For Dudley, v. Henry Brinsley Sheridan, esquire, void Election*  
**May 8—***For Stroud, v. Sebastian Stewart Dickinson, esquire, and Walter John Stanton, esquire, void Election*

*New Members Sworn*

- Mar 19—**Right Hon. Gathorne Hardy, *Oxford University*  
 Right Hon. Sir Stafford Henry Northcote, baronet, *Devon* (Northern Division)  
 Right Hon. Richard Assheton Cross, *Lancaster* (South Western Division)  
 Right Hon. George Ward Hunt, *Northampton* (Northern Division)  
 Right Hon. Viscount Sandon, *Liverpool*  
 Right Hon. Stephen Cave, *New Shoreham*  
 Right Hon. George Solater-Booth, *Southampton* (Northern Division)  
 Right Hon. Sir Michael Edward Hicks-Beach, baronet, *Gloucester* (Eastern Division)

[cont.]

PARLIAMENT—COMMONS—*New Members Sworn—*  
cont:

- Donald Cameron, esquire, of *Lochiel, Inverness-shire*  
 Sir James Dalrymple Horn Elphinstone, baronet, *Portsmouth*  
 Sir John Burgess Karslake, knight, *Huntingdon*  
 Sir Richard Baggallay, knight, *Surrey* (Middle Division)  
 Rowland Winn, esquire, *Lincoln* (Northern Division)  
 Right Hon. John Thomas Ball, *Dublin University*  
 Sir Massey Lopes, baronet, *Devon* (Southern Division)  
 Earl Percy, *Northumberland* (Northern Division)  
 Viscount Barrington, *Eye*  
 Lord Henry Somerset, *Monmouthshire*  
 Right Hon. Edward Strathearn Gordon, *Glasgow University*  
 Alexander William Hall, esquire, *Oxford City*  
 Right Hon. Benjamin Disraeli, *Buckinghamshire*  
**Mar 21—**Right Hon. Lord John Manners, *Leicester County* (Northern Division)  
**Mar 23—**Viscount Mahon, *Suffolk* (Eastern Division)  
 Right Hon. Sir Charles Bowyer Adlerley, baronet, *Stafford* (Northern Division)  
 Right Hon. Thomas Edward Taylor, *Dublin County*  
 Lord Henry Lennox, *Chichester*  
**Mar 26—**Thomas Henry Clifton, esquire, *Lancaster* (Northern Division)  
 Francis Hugh O'Donnell, esquire, *Galway*  
**Mar 27—**John Ramsay, esquire, *Falkirk Burghs*  
**April 27—**John Holker, esquire, *Preston*  
 John Holms, esquire, and Henry Fawcett, esquire, *Hackney*  
**May 1—**George Harley Kirk, esquire, *Louth*  
**May 7—**Thomas Kemp Sanderson, esquire, *Wakefield*

*Parliamentary and Municipal Franchises, Register of*

Question, Mr. Rathbone; Answer, Mr. Assheton Cross **April 16, 624**

*Parliamentary Elections Act, 1868*

Question, Sir Charles W. Dilke; Answer, Mr. Disraeli **May 7, 1836**

*Parliamentary Elections (Polling) Bill*

(*Sir Charles W. Dilke, Mr. Anderson, Mr. Burt, Mr. Macdonald, Mr. Norwood*)

c. Ordered; read 1<sup>st</sup> **Mar 20** [Bill 21]  
 Moved, "That the Bill be now read 2<sup>nd</sup>"  
**Mar 25, 290**

Amendt. to leave out "now," and add "upon this day six months" (*Mr. Goldney*); after debate, Question put, "That 'now,' &c.;"  
 A. 126, N. 201; M. 75

Words added; main Question, as amended, put, and agreed to; Bill put off for six months

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# Parliamentary Elections (Returning Officers) Bill

(*Sir Henry James, Sir William Harcourt*)

c. Ordered; read 1<sup>o</sup> April 15 [Bill 68]  
Bill read 2<sup>o</sup>, after short debate, and committed to a Select Committee April 28, 1839; List of the Committee, 1341

# Parliamentary Voters Registration (Ireland) Bill

(*Mr. Meldon, Sir John Gray, Mr. Sullivan, Mr. Synan*)

c. Ordered; read 1<sup>o</sup> April 17 [Bill 72]

# Patent Museum

Question, Major Beaumont; Answer, Mr. W. H. Smith April 17, 715

# Peace of Europe

Moved, That an humble Address be presented to Her Majesty for, Copies of any correspondence relating to the maintenance of the Peace of Europe with the Governments of the Emperor of Germany, the Emperor of Austria, the Emperor of Russia, and the French Republic which can be communicated without injury to the public service" (*The Earl Russell*) May 4, 1864; after short debate, Motion withdrawn

# PEASE, Mr. J. W., *Durham, S.*

Customs Writers—Salaries, 1585  
Education Department—Revised Code, Res. 1717  
Intoxicating Liquors, Leave, 1247  
Ways and Means—Report, 1184, 1195

# PELL, Mr. A., *Leicestershire, S.*

Game Laws (Scotland), 2R. 1387  
Parliament—Address in Answer to the Speech, 91  
Public Works Loans, 1674  
Ways and Means, Comm. Motion for reporting Progress, 1059; Report, 1182

# PEMBROKE, Earl of

Army—Militia Recruiting, Address for Returns, 225

# PENZANCE, Lord

Judicature and Appeal (Scotland and Ireland), 1R. 1830

# Permissive Prohibitory Liquor Bill

(*Sir Wilfrid Lawson, Sir Thomas Bazley, Mr. Downing, Mr. Richard, Mr. Dalway, Mr. Charles Cameron, Mr. William Johnston*)

c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1<sup>o</sup> Mar 20 [Bill 9]

# PETERBOROUGH, Bishop of

\*Patronage in the Church of England, Motion for a Committee, 900

# Pier and Harbour Orders Confirmation Bill [H.L.] (*The Lord Dunmore*)

l. Presented; read 1<sup>o</sup> April 27 (No. 37)

# PLAYFAIR, Right Hon. Mr. Lyon, *Edinburgh and St. Andrew's Universities*

Education Department—Revised Code, Res. 1713  
Irish Fisheries, Res. 1516  
Births and Deaths, Registration of—Legislation, 712

# PLUNKET, Hon. D. R., *Dublin University*

Controverted Elections (Ireland)—Mr. Justice Lawson, Res. 1900

# PLUNKETT, Hon. R. E., *Gloucester, W.*

Dean Forest, Motion for a Committee, 931

# Poor in London

Address for "Copy of memorial on the Improvement of the Dwellings of the Poor in London from the Royal College of Physicians to the First Lord of the Treasury:  
"Copies of memorials on the Improvement of the Dwellings of the Poor in London to the Secretary of State for the Home Department from the Council of the Charity Organization Society, and from a Committee of members of both Houses of Parliament, and of representatives of societies, trustees, and others interested in improving such dwellings" (*Lord Napier and Ettrick*) April 23, 1883; after short debate, Motion agreed to

# Poor Law—Case of the Woman Day

Questions, Dr. Lush, Mr. Dixon; Answers, Mr. Selater-Booth May 7, 1834

# Poor Law Guardians (Ireland) Bill

(*Sir Colman O'Loughlen, The O'Connor Don, Mr. Callan*)

c. Ordered; read 1<sup>o</sup> May 7 [Bill 95]

# Poor Relief (Ireland) Bill

(*Mr. O'Shaughnessy, Mr. Butt, Mr. Downing, Mr. Redmond, Mr. Browne*)

c. Ordered; read 1<sup>o</sup> Mar 30 [Bill 57]

# POST OFFICE

*Charges for Telegraphic Messages*, Question, Mr. Charles Lewis; Answer, Lord John Manners Mar 26, 339

*Money Order Offices*, Question, Mr. G. Browne; Answer, Lord John Manners Mar 30, 406

*Postage to the United States*, Question, Mr. Seely; Answer, Lord John Manners May 1, 1494

*Postal Facilities in Mayo*, Observations, Question, Mr. Tighe; Answer, Lord John Manners; short debate thereon April 24, 1129

*Post Office Servants—Salaries*, Question, Mr. Roebuck; Answer, The Chancellor of the Exchequer May 4, 1582

**Post Office—cont.**

*Registration of Letters*, Question, Mr. Monk ; Answer, Lord John Manners *Mar 23, 238*  
*Savings Bank Department*, Question, Mr. Coope ; Answer, Lord John Manners *Mar 31, 482*

*Telegraphic Communication with the Channel Islands*, Question, Mr. Locke ; Answer, Lord John Manners *Mar 23, 231*

**POWER, Mr. R., Waterford**

Inland Revenue Act—Grain for Cattle, 1589  
Ireland—Public Works Loan Commissioners, 713

**PRAED, Mr. H. B. M., Colchester**

Metropolis—Working People's Dwellings, Res. 1974

**PRICE, Captain G. E., Devonport**

Ashantee War—Honours to Officers, 713  
Navy—H.M. Dockyards, 846  
Naval Reserve, 744  
Navy—Unarmoured and Iron-clad Ships, Res. 1858  
Navy Estimates—Wages, &c. for Seamen and Marines, 1460, 1484

**Prison Ministers Act (1863) Amendment**

Bill (Mr. Meldon, Lord Francis Conyngham, Mr. Brady, Mr. Digby, Mr. Martin, Mr. Owen Lewis)

c. Ordered ; read 1<sup>o</sup> *Mar 30* [Bill 58]

**Probate and Administration Uniformity**

Amendt. on Committee of Supply *April 24*, To leave out from "That," and add "in the opinion of this House, it is desirable that one probate or administration should confer a title to all personal estate within the United Kingdom" (Mr. Gregory) *v.*, 1099 ; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn

**Public Departments (Purchases, &c.)**

Select Committee appointed "to inquire into and report upon the existing principles and practice which in the several Public Departments and Bodies regulate the Purchase and Sale of Materials and Stores" *May 5* ; List of the Committee, 1739

**Public Health Act, 1872**

*Public Works Loans*, Question, Mr. Pell ; Answer, The Chancellor of the Exchequer *May 5, 1674*  
*Water Supply*, Question, Mr. Whalley ; Answer, Mr. Sclater-Booth *May 8, 1927*

**Public Health (Ireland) Bill**

(Sir Michael Hicks-Beach, Mr. Attorney General for Ireland)

c. Ordered ; read 1<sup>o</sup> *Mar 27* [Bill 58]

**Public Health (Scotland) Act—County Constables**

Question, Sir Wyndham Anstruther ; Answer, Mr. Assheton Cross *Mar 27, 346* ; *April 23, 990*

**Public Meetings (Ireland) Bill**

(Mr. P. J. Smyth, Mr. Ronayne, Mr. McCarthy Downing)

c. Ordered ; read 1<sup>o</sup> *Mar 20* [Bill 23]

**Public Prosecutors—Legislation**

Question, Sir Eardley Wilmot ; Answer, Mr. Assheton Cross *April 22, 957*

**Public Works Loan Commissioners [Loans to School Boards] Bill** (Mr. Raikes, Viscount Sandon, Mr. William Henry Smith)

c. Resolution [March 24] reported, and agreed to ; Bill ordered ; read 1<sup>o</sup> *Mar 25* [Bill 46]

**Public Works (Loans)—Returns**

Question, Mr. Whitwell ; Answer, Mr. W. H. Smith *April 24, 1096*

**Public Worship Facilities Bill**

(Mr. Salt, Mr. Cawley)

c. Considered in Committee ; Resolution agreed to, and reported ; Bill ordered ; read 1<sup>o</sup> *Mar 20* [Bill 27]

2R. put off, after short debate *April 27*  
*Invocation of Saints—Altar Cards*, Question, Earl Nelson ; Answer, The Archbishop of Canterbury *May 8, 1921*

**RAIKES, Mr. H. C. (Chairman of Committees of Ways and Means), Chester**

Game Birds (Ireland), Comm. *cl. 1, 1338*  
Metropolitan Board of Works, 2R. 405

**Railway Companies Bills — Compulsory Powers**

Moved to resolve, That whereas applications are now frequently made to Parliament by Railway Companies for power to construct short lines for the development or improvement of lands, mines, or manufactories, the immediate object and direct effect of such lines being to enhance the value of particular private properties, and as it has not been the practice of Parliament to give compulsory powers to one person to take the lands of another for his private advantage, it is unjust and inexpedient that powers which would be refused to individuals on their own application should be obtained by them indirectly through the intervention of Railway Companies (*The Chairman of Committees*) *May 8, 1903* ; after short debate, Motion withdrawn

**Railways**

Moved for, Returns on the 1st May of the number of persons employed on each of the Railways of the United Kingdom (classified according to the nature of the work performed by them) (*The Earl of Aberdeen*) Mar 24, 264; Motion amended, and agreed to  
*Accidents to Railway Servants*, Question, Mr. Bass; Answer, Sir Charles Adderley April 17, 714

Moved, That an humble Address be presented to Her Majesty, praying that Her Majesty would be graciously pleased to appoint a Royal Commission to inquire into the working and general management of Railways; to report upon the causes and the best means to be adopted for the prevention of Accidents; and whether further legislation is required (*The Earl De La Warr*) April 27, 1150; after debate, Motion amended, and agreed to  
 Ordered, that an humble Address be presented to Her Majesty, praying that Her Majesty would be graciously pleased to appoint a Royal Commission to inquire into the Causes of Accidents on Railways, and into the possibility of removing any such causes by further legislation (*The Earl De La Warr*)  
 The Queen's Answer reported April 30, 1892

**Railways—The Royal Commission**

Amendt. on Committee of Supply May 7, To leave out from "That," and add "any inquiry into the causes of Accidents on Railways should include an investigation into the existence or otherwise of sufficient Railway accommodation in various districts for conveying the growing traffic of the Country with safety and economy, and into the means most advantageous to the public of supplying any deficiencies which may appear to exist" (*Mr. Samuelson*) v., 1877; Question proposed, "That the words, &c.," after short debate, Amendt. withdrawn

**Railway Accidents**

Moved, That there be laid before the House Copy of Board of Trade Circular to Railway Companies, dated February 1874, and the correspondence which followed thereon: Also for, Copy of correspondence between the Board of Trade and Lancashire and Yorkshire Railway Company with reference to legal proceedings in consequence of default of return of accidents (*The Earl De La Warr*) Mar 24, 259; after short debate, Motion amended, and agreed to

*Railway Accidents—Reports of Inspectors*, Question, Mr. Horsman; Answer, Sir Charles Adderley Mar 24, 269

*Legislation*, Question, Mr. Bentinck; Answer, Sir Charles Adderley April 17, 710

*Lamps in Railway Carriages*, Question, Mr. Agg-Gardner; Answer, Sir Charles Adderley May 1, 1494

**RATHBONE, Mr. W., Liverpool**

Board of Trade (Marine Department), 1689  
 Civil Service Expenditure, Committee on, 1873, 628  
 Elementary Schools, Extra Subjects in, Res. 1640

**RATHBONE, Mr. W.—cont.**

Intoxicating Liquors, Leave, 1246  
 Parliamentary and Municipal Franchises, Register of, 624  
 Parliamentary Elections (Polling), 2R. 297

**Rating**

*Exemption of Tin and Copper Mines*, Question, Sir John St. Aubyn; Answer, Mr. Selater-Booth Mar 27, 345

*Rating of Government Property*, Question, Major Dickson; Answer, Mr. Diaraeli Mar 30, 406

**READ, Mr. Clare S., Norfolk, S.**

Education Department—The Revised Code, Res. 1729

**Real Property Limitation Bill [H.L.]**

(*The Lord Chancellor*)

1. Presented; after short debate, read 1<sup>st</sup> Mar 26, 318 (No. 16)

Read 2<sup>nd</sup> April 23

**Real Property Vendors and Purchasers Bill—Formerly****Vendors and Purchasers of Land Bill [H.L.]**

(*The Lord Chancellor*)

1. Presented; after short debate, read 1<sup>st</sup> Mar 26, 330 (No. 18)

Read 2<sup>nd</sup> April 23

Committee (on re-comm.) May 5, 1873 (Nos. 41-55)

**REDESDALE, Lord (Chairman of Committees)**

Endowed Schools—Ellsworth's Charity, Scheme for, Motion for an Address, 1575  
 Judicature and Appeal (Scotland and Ireland), 1R. 1831

Railway Companies, Res. 1903, 1906

Railways, Ireland—Guarantees from County Rates, 1402

**REDMOND, Mr. W. A., Wexford**

Parliament—Address in Answer to the Speech, 169

**REED, Mr. E. J., Pembroke, &c.**

Elementary Schools, Extra Subjects in, Res. 1537

Navy—H.M. Dockyards, 840, 842

Navy—Unarmoured and Iron-clad Ships, Res. 1849

Navy Estimates—Wages, &c. for Seamen and Marines, 871, 876, 892, 1484

**Registration of Births and Deaths Bill**

(*Mr. Selater-Booth, Mr. Clare Read, Mr.*

*Secretary Cross*)

c. Ordered; read 1<sup>st</sup> Mar 20 [Bill 80]  
 Question, Mr. Lyon Playfair; Answer, Mr. Selater-Booth April 17, 712

**Registration of Firms Bill** (*Mr. Norwood, Mr. Sampson Lloyd, Mr. Whitwell*)  
c. Ordered; read 1<sup>o</sup> Mar 24 [Bill 42]  
Question, *Mr. Ritchie*; Answer, *Mr. Assheton*  
Cross May 1, 1496

**REID, Mr. R., Kircaldy, &c.**  
China—Woosung Bar, Shanghai, State of,  
1095

**Revenue Officers Disabilities Bill**  
(*Mr. Monk, Mr. Russell Gurney*)  
c. Ordered; read 1<sup>o</sup> Mar 20 [Bill 15]  
Bill read 2<sup>o</sup>, after short debate April 22, 958

**RICHARD, Mr. H., Morthyr Tydyl**  
Parliament—Address in Answer to the Speech,  
72  
West African Settlements, Res. 1630

**RICHMOND, Duke of (Lord President of the Council)**  
Ashantee War—Grant to the Forces, 1286  
Vote of Thanks, 380  
Elementary Education Act—Voluntary System, 1269  
Endowed Schools—Combe's School, Scheme for, Motion for an Address, 1578  
Endowed Schools, Ellsworth's Charity, Scheme for, Motion for an Address, 1573  
Endowed Schools—Gelligaer, Address to the Queen, 1920  
Endowed Schools Commission, 1492  
Metropolis, Poor in the, Motion for Papers, 983  
Owners of Land, England—Returns, 1269  
Parliament, Motion for Adjournment, 343  
Public Worship Regulation, 1R. 807  
Railway Accidents, Motion for Papers, 263  
Railway Companies, Res. 1905  
Railways, Motion for a Return, 265; Address for a Royal Commission, 1158  
Railways, Ireland—Guarantees from County Rates, 1401, 1402  
Wolseley, Sir Garnet—Queen's Message considered, Res. 709

**RIPON, Marquess of**  
Endowed Schools—Combe's School, Crewkerne, Scheme for, Motion for an Address, 1578  
Endowed Schools—Ellsworth's Charity, Scheme for, Motion for an Address, 1576

**RITCHIE, Captain C. T., Tower Hamlets**  
Bank Holidays—Customs Department, 108, 1586  
Customs Writers—Salaries, 1674  
Metropolis—Bethnal Green Museum, 542  
Registration of Firms, 1496  
Ways and Means—Financial Statement, Res. 3, 691

**ROBERTSON, Mr. H., Shrewsbury**  
Railway Accidents—Royal Commission, Res. 1882

**ROEBUCK, Mr. J. A., Sheffield**  
Factory Acts Amendment, 2R. Motion for Adjournment, 1801  
Imprisonment for Debt, 2R. 567  
Parliament—New Writs, Issue of, 1848  
Privilege—Committal of a Member for Contempt, 107  
Parliament—Business of the House (Opposed Business), Res. 286  
Parliamentary Elections (Polling), 2R. 302  
Post Office Servants—Salaries, 1582  
West African Settlements, Res. 1603, 1646

**ROMILLY, Lord**  
Transfer and Title of Land, 1R. 334; 2R. 981

**RONAYNE, Mr. J. P., Cork City**  
Peace Preservation (Ireland) Act—"Flag of Ireland" Newspaper, 1561

**RUSSELL, Earl**  
Europe, Peace of, Motion for Papers, 1564  
Treaty of Washington—Oregon Boundary—Fenian Raids, 1569

**RUSSELL, Lord A. J. E., Tavistock**  
Income Tax, Res. 236

**RUSSELL, Sir C., Westminster**  
Metropolis—Abingdon Street, Vacant Land in, 1814  
Sewers at the West End, 1839

**RYDER, Mr. G. R. D., Salisbury**  
Ordnance Survey—25-inch Scale, 816

**SACKVILLE, Mr. Sackville G. STOPFORD-Northamptonshire, N.**  
Army—Ashantee War—Pay of Officers on the Gold Coast, 989

**ST. AUBYN, Sir J., Cornwall, W.**  
Tin and Copper Mines, Exemption of, from Rating, 345

**Sale of Liquors on Sunday Bill**  
(*Mr. Wilson, Mr. Birley, Mr. William M. Arthur, Mr. Cawley, Mr. Edward G. Davenport, Mr. Osborne Morgan*)  
c. Ordered; read 1<sup>o</sup> April 16 [Bill 69]

**Sale of Liquors on Sunday (Ireland) Bill**  
(*Mr. Richard Smyth, The O'Connor Don, Viscount Crichton, Mr. Dease, Mr. William Johnston, Mr. Redmond, Mr. James Corry, Mr. Thomas Dickson*)  
c. Ordered; read 1<sup>o</sup> Mar 24 [Bill 43]



# **SALISBURY, Marquess of (Secretary of State for India)**

Bishop of Calcutta (Leave of Absence), 2R. 1392

Endowed Schools—Ellsworth's Charity, Scheme for, Motion for an Address, 1877

India—Bengal Famine, Papers presented, 92; Address for Papers, 1080, 1093, 1094

Railways, Address for a Royal Commission, 1169, 1171

Railways, Ireland—Guarantees from County Rates, 1403, 1405

# **SALT, Mr. T., Stafford**

Churchwardens, 2R. 707

India—East India Revenue Accounts, 334

Ways and Means—County Police, 1493

# **SAMUDA, Mr. J. D'A., Tower Hamlets**

Board of Trade (Marine Department), 1686

Metropolis—Victoria Park, 541, 928

Metropolitan Buildings and Management, 2R. 1348

Navy Estimates—Wages, &c. for Seamen and Marines, Motion for reporting Progress, 896, 1412

Parliamentary Elections (Polling), 2R. 317

Ways and Means—Sugar, Duty on Refined, 990

# **SAMUELSON, Mr. B., Banbury**

Navy—H.M.S. "Devastation," 1261

Railway Accidents—Royal Commission, Res. 1877

Supply—Science and Art Department, 1261

# **SANDFORD, Mr. G. M. W., Maldon**

Income Tax, Res. Amendt. 234

Ways and Means—Financial Statement, Res. 3, 697; Comm. 1057

# **SANDON, Right Hon. Viscount (Vice President of Committee of Council on Education), Liverpool**

Contagious Diseases (Animals) Act, 986

Education Department—Annual Report, 1495; —Revised Code, Res. 1721

Education (Scotland) Act—Building Grants, 632

Elementary Education—Emoluments of Teachers, Motion for an Address, 491

Elementary Education Act—Evening Schools, 1587

Elementary Schools—Extra Subjects in, Res. 1541

Supply—Science and Art Department, 1261

# **Sanitary Acts—Polluted Water**

Question, Mr. A. H. Brown; Answer, Mr. Sclater-Booth May 4, 1885

# **Science and Art**

Dr. Schliemann's Antiquities from the Troad, Question, Mr. E. Stanhope; Answer, Mr. Disraeli May 7, 1840

Science and Art Department, Question, Mr. Samuelson; Answer, Viscount Sandon April 28, 1261

# **Science and Art—cont.**

South Kensington Museum, Question, Major Beaumont; Answer, The Chancellor of the Exchequer Mar 31, 482

# **SCLATER-BOOTH, Right Hon. G. (President of the Local Government Board), Hampshire, N.**

Adulteration Act, 345, 627

Births and Deaths, Registration of, 712

Education Department—Revised Code, Res. 1712

Highways—Legislation, 1837

Medical Officers of Health, 408

Poor Law—Case of the Woman Day, 1835

Public Health Act—Water Supply, 1927

Sanitary Acts—Polluted Water, 1585

Supply—Comptroller and Auditor General of the Exchequer, 773

Copyhold, Inclosure, and Tithe Commission, 771

Treasury, 767

Tin and Copper Mines, Exemption of, from Rating, 345

Turnpike Trusts, Extinction of—Legislation, 632

# **SCOTLAND**

Census Returns, Question, Mr. J. Barclay; Answer, The Lord Advocate Mar 24, 267

Education (Scotland) Act—Building Grants, Question, Sir Robert Anstruther; Answer, Viscount Sandon April 16, 632

Legislation for Scotland—Hypothec, &c., Question, Mr. J. Barclay; Answer, The Lord Advocate Mar 24, 266

Police Force in Burghs, Question, Mr. Grieve; Answer, Mr. Assheton Cross April 20, 811

Sheriff Principals—Glasgow and Lanarkshire, Question, Dr. Cameron; Answer, The Lord Advocate Mar 30, 409

The Savine Office, Edinburgh, Question, Mr. Mackintosh; Answer, The Lord Advocate Mar 30, 408

Turnpike Trusts (Scotland)—Returns, Question, Sir Robert Anstruther; Answer, Mr. Assheton Cross April 20, 813

# **SCOTT, Lord H. J. M. D., Hampshire, S.**

Navy—Unarmoured and Iron-clad Ships, Res. 1860

# **SCOTT, Mr. M. D., Sussex, E.**

Intoxicating Liquors, 1410

Treaty of Washington—The Three Rules, 1840

# **SCOURFIELD, Mr. J. H., Pembrokeshire, S.**

Income Tax, Res. 236

Juries, 2R. 971

Metropolis—Working People's Dwellings, Res. 1976

Navy Estimates—Wages, &c. for Seamen and Marines, 895

Parliamentary Elections (Polling), 2R. 306

Ways and Means—Financial Statement, Res. 3, 679; Report, 1198

# **SEELY, Mr. C., Lincoln City**

Post Office—United States, Postage to, 1494

**SELBORNE, Lord**

Judicature and Appeal (Scotland and Ireland),  
1R. 1824  
Parliament—Address in Answer to the Speech,  
43  
Public Worship Regulation, 1R. 799  
Transfer and Title of Land, 1R. 330 ; 2R. 982 ;  
Comm. 1669

**Select Vestries**

1. Bill, *pro forma*, read 1<sup>st</sup> Mar 19

**SELWIN-IBBETSON, Sir H. J., Essex, W.**

Betting, 2R. 604 ; Comm. 944  
Intoxicating Liquors, 1841, 1842  
Middlesex Sessions (Salaries, &c.), Comm. Res.  
209 ; 2R. 340  
Offences against the Person, 2R. 539

**SHAFTESBURY, Earl of**

Public Worship Regulation, 1R. 798, 799

**SHAW, Mr. W., Cork Co.**

Irish Fisheries, Res. 1528

**SHERLOCK, Mr. Serjeant D., King's Co.**

Ireland—Shannon River, Drainage of, 228

**SHUTE, Major-General C. C., Brighton**

Army—Colonels, Supersession of—Royal and  
Indian Army, 626  
Army Reserves, Res. 506

**SIDMOUTH, Viscount**

Elementary Education Act—Voluntary System,  
1269

**SIMON, Mr. Serjeant J., Dewsbury**

Imprisonment for Debt, 2R. 563  
Juries, 2R. 971  
Spain—Sloop "Lark," The, 410

**Slave Trade Papers A. and B.**

Question, Mr. Cartwright ; Answer, Mr. Bourke  
April 21, 1929

**SMITH, Mr. A., Hertfordshire**

Ordnance Survey—Hertfordshire, 1926

**SMITH, Mr. T. E., Tynemouth, &c.**

Board of Trade (Marine Department), Motion  
for a Select Committee, 1877, 1893, 1890  
India—East India Finance—Appointment of a  
Select Committee, 337  
Navy—Indian Station, 630  
Parliamentary Elections (Polling), 2R. 304  
Parliamentary Elections (Returning Officers),  
2R. 1341

**SMITH, Mr. W. H., Westminster**

Civil Service, 1837  
Civil Service Estimates—Public Offices Fur-  
niture, 485  
Dean Forest, Motion for a Committee, 932  
Metropolis—Thames Embankment, 631  
Victoria Park, 542, 926

**SMITH, Mr. W. H.—cont.**

Patent Museum, 715  
Public Works Loans—Returns, 1096  
Supply—Charity Commission, 770  
Comptroller and Auditor General of the  
Exchequer, 774  
Copyhold, Inclosure, and Tithe Commission  
771  
House of Commons, Offices of, 764  
House of Lords, Offices of, 762  
Local Government Board, 776  
Lord Privy Seal, 770  
Patent Law Amendment Act, 777  
Public Buildings, 1135  
Public Buildings (Ireland), 1144  
Revenue Departments, 196  
Surveys of the United Kingdom, 1140  
Treasury, 765, 767  
Tichborne Prosecution, Motion for a Return,  
2025  
Ways and Means—Financial Statement, Res. 3,  
693

**SMOLLETT, Mr. P. B., Cambridge**

India—Madras Irrigation Company, 1926  
Parliament—Dissolution and General Election  
—Vote of Censure, Res. 1101, 1119, 1120

**SMYTH, Mr. P. J., Westmeath Co.**

Labourers Dwellings (Ireland), 267

**SMYTH, Mr. R., Londonderry Co.**

Intoxicating Liquors in Ireland, Sale of, on a  
Sunday, Res. 1991  
Municipal Privileges (Ireland), Comm. 1343  
Parliamentary Elections (Polling), 2R. 310

**SOLICITOR GENERAL, The (Sir R. BAG-  
GALLAY), Mid Surrey**

Controverted Elections (Ireland)—Mr. Justice  
Lawson, Res. 1898

**SOMERSET, Duke of**

Navy—State of the, 219  
Parliament—Address in Answer to the Speech,  
39  
Railways—Address for a Royal Commission,  
1165

**SOMERSET, Lord H. R. C., Monmouthshire**

Parliament—Queen's Speech—Her Majesty's  
Answer to Address, 228

**South Sea Islands**

Moved, "That an humble Address be pre-  
sented to Her Majesty for Copies or Extracts  
of any further correspondence respecting  
outrages committed upon natives of the  
South Sea Islands, in continuation of the  
papers upon this subject laid before the  
House last Session" (*The Earl of Belmore*)  
Mar 24, 255 ; after short debate, Motion  
agreed to

**Spain**

British Subjects in Bilbao, Question, Mr.  
M'Lagan ; Answer, Mr. Bourke Mar 31,  
185

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*Spain—cont.*

*The Civil War—Recognition of Belligerent Rights*, Question, Mr. O'Clery; Answer, Mr. Bourke *April* 13, 494  
*The Sloop "Lark,"* Question, Mr. Serjeant Simon; Answer, Mr. J. Lowther *Mar* 30, 410

**SPEAKER, The (Right Hon. H. B. W.**

**BRAND), Cambridgeshire**  
 Ashantee War—Vote of Thanks, 495  
 Ireland—"Coercive Legislation," 544  
 Peace Preservation (Ireland) Act—"Flag of Ireland" Newspaper, 1554  
 Irish Railways—Acquisition and Control of, Res. 1331, 1332, 1333  
 Municipal Privileges (Ireland), 2R. 951  
 Navy—Unarmoured and Iron-clad Ships, Res. 1869, 1875  
 Parliament—Questions, &c.  
 New Writs, Issue of, 1843  
 Privilege—Court of Queen's Bench, Committal of a Member for Contempt, 52, 104, 108  
 Speaker, Election of a, 10, 11, 15, 17  
 Parliament—Business of the House (Opposed Business), Res. 277, 286  
 Parliament—Dissolution and General Election  
 Vote of Censure, Res. 1112  
 Parliament—Privilege—Motion for New Writs, 1262  
 Railway Accidents—Royal Commission, Res. 1883  
 West African Settlements, Res. 1663  
 Wolseley, Sir Garnet J.—Message from the Queen, 634

**Spiritous Liquors (Scotland) Bill**

(*Sir Robert Anstruther, Mr. Fordyce, Mr. Dalrymple*)

c. Considered in Committee; [Resolution agreed to, and reported; Bill ordered; read 1<sup>st</sup> *Mar* 20 [Bill 10]

*Standards Commission, 1870*

Question, Observations, Lord Colchester; Reply, The Earl of Dunmore *Mar* 23, 222

**STANHOPE, Hon. E., Lincolnshire, Mid.**

Science and Art—Dr. Schliemann's Antiquities from the Troad, 1840

**STANHOPE, Mr. W. T. W. S., Yorkshire, W.R.**

Ways and Means—Financial Statement, Res. 3, 687  
 Local Taxation—Lunatics, &c. 1181

**STANLEY OF ALDERLEY, Lord**

Afghanistan, 1917

**STANLEY, Hon. Captain F. A. (Financial**

Secretary for War) *Lancashire, N.*  
 Army—Cavalry Horses, 1834  
 Army Estimates—Chelsea and Kilmainham Hospitals, 536  
 Control Establishments, Wages, &c. 533  
 Purchase Commission, 760  
 Volunteer Corps, 533  
 Ashantee War—Garrison at Frahsu, 1841

**STANSFELD, Right Hon. J., Halifax**  
 Mutiny, Comm. cl. 107, 705

**STEVENSON, Mr. J. C., South Shields**  
 Metropolitan Buildings and Management, 2R. 1354

**STEWART, Mr. M. J., Wigton Bo.**  
 Game Laws (Scotland), 2R. 1381

**STORER, Mr. G., Nottinghamshire, S.**  
 Game Birds (Ireland), 2R. 621  
 Intoxicating Liquors, Leave, 1253  
 Malt Tax, Res. 1028  
 Ways and Means—Financial Statement, Res. 3, 697

*Straits Settlements, The*

Questions, General Sir George Balfour; Answer, Mr. J. Lowther *May* 4, 1588  
*Singapore Emigration Act*, Question, Mr. Palmer; Answer, Mr. J. Lowther *Mar* 31, 484

*Suez Canal*

*The International Commission*, Observations, Mr. Gourley; Reply, Mr. Bourke *Mar* 26, 334; Question, Mr. O'Donnell; Answer, Mr. Bourke *April* 30, 1408  
*Threatened Suspension of Navigation*, Question, Sir George Jenkinson; Answer, Mr. Disraeli *April* 17, 714; *April* 24, 1096; Question, Sir George Jenkinson; Answer, Mr. Bourke *April* 27, 1182; Question, Earl De La Warr; Answer, The Earl of Derby *May* 8, 1925

**SULLIVAN, Mr. A. M., Louth Co.**

Controverted Elections (Ireland)—Mr. Justice Lawson, Res. 1894  
 Intoxicating Liquors (Ireland), 1927  
 Irish Fisheries, Res. 1512  
 Municipal Franchise (Ireland), 2R. 780  
 Municipal Privileges (Ireland), 2R. 955  
 Parliament—Address in Answer to the Speech, 160

**SUPPLY**

*Civil Service Estimates—Public Offices Furniture*, Question, Mr. Mellor; Answer, Mr. W. H. Smith *Mar* 31, 485

*Charges on the Consolidated Fund*, Question, Sir William Harcourt; Answer, The Chancellor of the Exchequer *Mar* 30, 407

Resolved, That this House will, To-morrow, resolve itself into a Committee to consider of the Supply to be granted to Her Majesty *Mar* 20

House in Committee of Supply; Moved, "That Mr. Cecil Raikes take the Chair" (*Mr. Disraeli*); Motion agreed to *Mar* 21

Considered in Committee *Mar* 21, 193—**SUPPLEMENTARY ESTIMATES**—Resolutions reported *Mar* 23

Considered in Committee *Mar* 23, 249—**NAVY, ARMY, CIVIL SERVICE, AND REVENUE DEPARTMENTS—VOTES ON ACCOUNT**—Resolutions reported *Mar* 24

Considered in Committee—Committee *r.p.* *Mar* 27

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**Supply—cont.**

Considered in Committee *Mar 30*, 432—ARMY ESTIMATES—Departmental Statement of the Secretary of State for War on moving the Army Estimates—NAVY ESTIMATES (60,000 Men and Boys), 477—Resolutions reported *April 1*  
 Considered in Committee *April 13*, 526—ARMY ESTIMATES—Resolutions reported *April 13*  
 Considered in Committee *April 17*, 760—ARMY ESTIMATES—CIVIL SERVICE ESTIMATES—CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS—Resolutions reported *April 20*, 896  
 Considered in Committee *April 20*, 848—ASHANTER WAR—GRANT TO SIR GARNET J. WOLSELEY—Resolution reported *April 21*  
 Considered in Committee *April 20*, 849—NAVY ESTIMATES—Departmental Statement of the First Lord of the Admiralty in moving the Navy Estimates—Resolution reported *April 23*; Committee R.P.  
 Considered in Committee *April 24*, 1132—CIVIL SERVICE ESTIMATES—CLASS I.—PUBLIC WORKS AND BUILDINGS—Resolutions reported *April 27*  
 Considered in Committee *April 30*, 1412—NAVY ESTIMATES—Resolutions reported *May 4*—Committee R.P.  
 Considered in Committee *May 7*, 1902—ASHANTER EXPEDITION—NAVY ESTIMATES—Resolutions reported *May 8*—Committee R.P.

**Supreme Court of Judicature Act (1873) Amendment Bill [H.L.]**

(*The Lord Chancellor*)

*l.* Presented; read 1<sup>st</sup>, after debate *May 7*, 1898 (No. 56)

**SYNAN, Mr. E. J., Limerick Co.**

Game Birds (Ireland), 2R. 618  
 Irish Fisheries, Res. 1498  
 Ways and Means—Financial Statement, Res. 3, 687

**TALBOT, Mr. J. G., Kent, W.**

Education Department—Revised Code, Res. 1718  
 Intoxicating Liquors, Leave, 1249  
 Licensing Act, 1872, 986, 1098

**TAYLOR, Mr. P. A., Leicester Bo.**

Mutiny, Comm. cl. 107, Amendt. 701; Amendt. 704

**Tenant Right (Ireland) Bill (Mr.**

*Sullivan, Mr. Blennerhassett, Mr. O'Sullivan*)  
*c.* Ordered; read 1<sup>st</sup> *April 24* [Bill 82]

**TENNANT, Mr. R., Leeds**

Factory Acts Amendment, 2R. 1789

**THOMPSON, Mr. T. C., Durham**

Metropolis—Hyde Park and Kensington Gardens, 818  
 Parliamentary Elections (Polling), 2R. 310  
 Supply—Board of Trade, 769  
 Local Government Board, 776

**Tichborne Prosecution**

Moved, "That there be laid before this House, a Return of the sum expended in relation to the Tichborne Prosecution and all proceedings arising out of and connected therewith or resulting therefrom, and in such Return to specify the amount paid to each witness examined, and also to such persons as were subpoenaed to attend as witnesses, but were not called upon to give evidence" (*Mr. Whalley*) *May 8*, 2024; after short debate, Motion withdrawn  
*Regina v. Castro—Account of Expenditure* (Parl. P. No. 155)

**TIGHE, Mr. T., Mayo Co.**

Post Office—Mayo, Postal Facilities in, 1129

**TORRENS, Mr. W. T. M., Finsbury**

Building Societies, 2R. 1336  
 East India Loan, 3R. 359  
 India—East India Finance, Appointment of a Select Committee, 337  
 Metropolis—Abbey and Palace at Westminster, 1591  
 Metropolis—Dwellings of Working People, Res. 1981  
 Metropolitan Board of Works, 2R. Amendt. 401  
 Parliament—Address in Answer to the Speech, Amendt. 68, 91  
 New Writs, Issue of, 1845

**TRACY, Hon. C. R. D. HANBURY-, Montgomery, &c.**

Shipwreck, Saving Life from—Mr. Rogers' Plan, 1409

**Tramways Provisional Orders Confirmation Bill [H.L.] (The Lord Dunmore)**

*l.* Presented; read 1<sup>st</sup> *May 8* (No. 50)

**Treaty of Washington**

Oregon Boundary—The Fenian Raids, Observations, Earl Russell *May 4*, 1569  
 The Three Rules, Question, Mr. Montagu Scott; Answer, Mr. Bourke *May 7*, 1840

**TREVELYAN, Mr. G. O., Hawick, &c.**

Legal Departments, Commission on—Report, 1180

**Tribunals of Commerce Bill**

(*Mr. Whitwell, Mr. Norwood, Mr. Monk, Mr. Sampson Lloyd, Mr. Ripley*)  
*c.* Ordered; read 1<sup>st</sup> *Mar 20* [Bill 2]  
 2R. deferred *April 22*, 957

**Truck System—Masters and Servants—Legislation**

Questions, Mr. Macdonald; Answer, Mr. Asheton Cross *April 30*, 1408

**Turnpike Acts Continuance**

Select Committee appointed, "to inquire into the Twelfth Schedule of 'The Annual Turnpike Acts Continuance Act, 1873'" *Mar 27*; List of the Committee, 378; Instruction to the Committee (*Mr. Slater-Booth*)

*Turnpike Trusts Extinction—Legislation*  
Question, Sir George Jenkinson; Answer, Mr.  
Solater-Booth April 16, 631

**Ulster Tenant Right Bill**

(Mr. Butt, Mr. Richard Smyth, Mr. Mitchell  
Henry, Sir John Gray, Mr. Downing)

c. Motion for Leave (Mr. Butt) May 5, 1699;  
after short debate, Motion agreed to; Bill  
ordered; read 1° [Bill 92]

**Universities (Scotland) Bill**

(Mr. Couper-Temple, Mr. Russell Gurney, Mr.  
Orr Ewing, Dr. Cameron)

c. Ordered; read 1° April 14 [Bill 67]

*Vaccination Act, 1871—Vaccine Lymph*

Question, Mr. Meldon; Answer, Sir Michael  
Hicks-Beach May 4, 1689

**VANCE, Mr. J., Armagh City**

Municipal Franchise (Ireland), 2R. Amendt.  
779

Municipal Privileges (Ireland), 2R. 341

Supply—Comptroller and Auditor General of  
the Exchequer, 775

**Vendors and Purchasers of Land Bill—**  
See title Real Property Vendors and  
Purchasers Bill

**VERNER, Mr. E. Wingfield, Armagh Co.**  
Irish Fisheries, Res. 1528

**WAIT, Mr. W. K., Gloucester**

Army—Auxiliary Forces—Adjutants, 265

Merchant Shipping Act—"Kron Prinz,"  
Stranding of the, 712

Metropolis—National Gallery—New Building,  
629, 1409

New Courts of Justice, 628

**WALPOLE, Right Hon. Spencer H.,**  
*Cambridge University*

National Museums—Science Commission, Re-  
port of, 269

Parliament—New Writ—Borough of Stroud,  
1941

Revenue Officers Disabilities, 2R. 964

**WALTER, Mr. J., Berkshire**

Ancient Monuments, 2R. 584

Broadmoor Asylum—Criminal Lunatics, 988

**WATERLOW, Sir S. H., Maidstone**

Metropolis—Labourers' Dwellings, Somers  
Town, 814

\*Metropolis—Working People's Dwellings, Res.  
1967

**WATKIN, Sir E. W., Hythe**

Joint Stock Companies—Provident Savings  
Banks, 1094

Workpeople's Compensation, Leave, 1706

**WATNEY, Mr. J., Surrey, E.**

Metropolitan Buildings and Management Act,  
2R. 1351

**WAVENEY, Lord**

Railways, Ireland—Guarantees from County  
Rates, 1405

**WAYS AND MEANS**

**MISCELLANEOUS QUESTIONS**

*County Police*, Question, Mr. Salt; Answer,  
Mr. Asheton Cross May 1, 1493

*Farmers' Carts—Shepherds' Dogs (Scotland).*

Question, Viscount Macduff; Answer, The  
Chancellor of the Exchequer Mar 31, 483

*Local Taxation—Lunatics—Rural Police, &c.,*

Question, Mr. Leith; Answer, The Chan-  
cellor of the Exchequer April 23, 987;

Questions, Mr. Coope, Mr. Lambert, Mr. W.  
Stanhope; Answers, The Chancellor of the  
Exchequer April 27, 1181

*Taxation of Beer, &c., in Foreign Countries,*

Question, Mr. Dodson; Answer, The Chan-  
cellor of the Exchequer Mar 23, 232

*The Income Tax—Appeals against Surcharges,*

Question, Mr. Arthur Mills; Answer, The  
Chancellor of the Exchequer April 23, 989

*The Sugar Duties*, Question, Mr. Grieve; An-  
swer, The Chancellor of the Exchequer

April 17, 717; April 20, 817; Question,  
Mr. Samuda; Answer, The Chancellor of the  
Exchequer April 23, 990

**WAYS AND MEANS**

Resolved, That this House will To-morrow  
resolve itself into a Committee to consider  
of the Ways and Means for raising the Supply  
to be granted to Her Majesty Mar 20

WAYS AND MEANS—Considered in Committee  
April 16, 634—Financial Statement of the

Chancellor of the Exchequer—Resolutions  
[Sugar Duties] agreed to

Resolutions reported, and, after Amendment,  
agreed to April 23, 991

Considered in Committee; Resolutions [In-  
come Tax, Horse Duties, Tea] agreed to  
April 23

Resolutions reported April 27, amended and  
agreed to, and Bills ordered thereon

Considered in Committee—Resolved, That it is  
expedient to amend the Acts relating to the  
Customs April 28; Resolution reported, and  
agreed to April 29, 1391

*Weights and Measures Act*

*Inspection by the Police*, Question, Mr. Gold-  
ney; Answer, Sir Charles Adderley Mar 26,  
338

*Legislation*, Question, Mr. Sampson Lloyd;  
Answer, Sir Charles Adderley May 7, 1839

*Wellington Monument, The*

Question, Mr. Goldsmid; Answer, Lord Henry  
Lennox May 4, 1584

*West African Settlements*—See title—  
*Africa*



**WHALLEY, Mr. G. H., *Peterborough***  
 Board of Trade (Marine Department), 1690  
 Parliament—Privilege—Committal of a Member for Contempt, 101, 105  
 Parliament—Dissolution and General Election—Vote of Censure, Res. 1112, 1127  
 Public Health Act—Water Supply, 1927  
 Supply—Surveys of the United Kingdom, 1140  
 Tichborne Prosecution, Motion for Returns, 2024, 2026

**WHEELHOUSE, Mr. W. St. James, *Leeds***  
 Bank Holidays Act—Money Order Office Department, 268  
 Intoxicating Liquors, Leave, 1253  
 Revenue Officers Disabilities, 2R. 964  
 Supply—Houses of Parliament, 1138  
 Metropolitan Police Courts, 1142  
 Post Office and Inland Revenue, 1140  
 Ways and Means, Comm. 1050

**WHITBREAD, Mr. S., *Bedford***  
 East India Loan, 3R. 355  
 Parliament—New Writs, Issue of, 1845  
 Privilege—Committal of a Member for Contempt, 105, 342

**WHITWELL, Mr. J., *Kendal***  
 Judicature Commission, 349  
 Mercantile Marine—Pilgrims, Casualty to, 346  
 Parliament—Business of the House, 339  
 Public Works Loans—Returns, 1096  
 Supply—Board of Trade, 768  
 Copyhold, Inclosure, and Tithe Commission, 771  
 Parks and Pleasure Gardens, 1134  
 Patent Law Amendment Act, 776  
 Surveys of the United Kingdom, 1140  
 Treasury, 765  
 Tribunals of Commerce, 957  
 Ways and Means, Comm. 1058; Report, 1201

**Wild Animals (Scotland) Bill**  
*(Mr. James Barclay, Mr. Trevelyan, Mr. Fordyce)*  
 c. Ordered; read 1<sup>o</sup> Mar 24 [Bill 40]

**WILLIAMS, Mr. Watkin, *Denbigh, &c.***  
 Judicature Act, 1873, 924  
 Juries, 2R. 969

**WILMOT, Sir J. E., *Warwickshire, S.***  
 Army Reserves, Res. 512  
 Ashantee War—Vote of Thanks to the Forces, 428  
 Irish Railways—Acquisition and Control of, Res. 1306  
 Juries, 2R. 970  
 Municipal Privileges (Ireland), 2R. 951  
 Public Prosecutors, 957  
 West African Settlements, Res. 1643

**WILSON, Mr. C. H., *Kingston-on-Hull***  
 Board of Trade (Marine Department), 1688  
 Intoxicating Liquors, Leave, 1253

**WOLFF, Sir H. D., *Christchurch***  
 Diplomatic Service—Berne, Mission at, 1583  
 Foreign Office—Salaries, 231  
 Supply—British Embassy Houses, &c. 1144

**Wolseley, Sir Garnet J.—*Message from the Queen***

#### LORDS—

Message from the Queen delivered by the Lord President, and read by the Lord Chancellor April 16, 622; ordered that the said Message be taken into consideration To-morrow Order of the Day for the consideration of the Queen's Message read April 17, 709

Moved, "That an humble Address be presented to Her Majesty to return Her Majesty the Thanks of this House for Her Majesty's most gracious Message informing this House "That Her Majesty, taking into consideration the eminent Services of Major-General Sir Garnet J. Wolseley, K.C.B., G.C.M.G., in planning and conducting the recent Expedition into Ashantee, and being desirous in recognition of such services to confer some signal mark of Her favour upon him, recommends to the House of Lords to concur in enabling Her Majesty to grant Sir Garnet J. Wolseley the sum of Twenty-five thousand pounds;" and to assure Her Majesty that this House will cheerfully concur in enabling Her Majesty to make such provision" (*The Lord President*); Motion agreed to  
*Grant to the Forces*, Question, Observations, The Earl of Lauderdale; Reply, The Duke of Richmond; short debate thereon April 28, 1255

#### COMMONS—

Message from Her Majesty brought up, and read by Mr. Speaker April 16, 634; referred to the Committee of Supply  
 Queen's Message read April 20  
 £25,000, Sir Garnet J. Wolseley, K.C.B., G.C.M.G.—After debate, Vote agreed to

**Women's Disabilities Removal Bill**  
*(Mr. Forsyth, Sir Robert Anstruther, Mr. Russell Gurney, Mr. Stansfeld)*

c. Ordered; read 1<sup>o</sup> Mar 20 [Bill 14]

**Working Men's Dwellings Bill**  
*(Mr. Whitwell, Mr. Morley)*

c. Ordered; read 1<sup>o</sup> Mar 20 [Bill 22]

**Workpeople's Compensation Bill**  
*(Sir Edward Watkin, Mr. Charles Gilpin, Mr. Chapman)*

c. Motion for Leave (*Sir Edward Watkin*) May 5, 1706; Motion agreed to; Bill ordered; read 1<sup>o</sup> [Bill 91]

*Workshops Act, The—Inspectors*

Question, Mr. Dalrymple : Answer, Mr. Assheton Cross *April 27*, 1178

YEAMAN, Mr. J., *Dundee*

Irish Fisheries, Res. 1526

Metropolis—Dwellings of Working People, Res. 1979

YORK, Archbishop of

Public Worship Regulation, 1R. 805

YORKE, Mr. J. R., *Gloucestershire, E.*

Parliament—New Writ—Borough of Stroud, 1937

Ways and Means, Report, 1197

YOUNG, Mr. A. W., *Helston*

Juries, 2R. 968

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END OF VOLUME CCXVIII., AND FIRST VOLUME OF  
SESSION 1874.

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